NATIONAL COUNCIL
OF SENIOR CITIZENS
PRESIDENT
NELSON H. CRUIKSHANK
EXECUTIVE DIRECTOR
WILLIAM R. HUTTON
1511 K Street, N.W.
Washington, D. C. 20005
Telephone: 783-6850, Code 202

SENIOR AIDES

SENIOR AIDES PROGRAM
PROJECT DIRECTOR
WILLIAM R. HUTTON
DEPUTY PROJECT DIRECTOR
CHARLES L. PRAY
ASSISTANT DEPUTY DIRECTOR
JUDITH A. PAULUS

Thankyou for information

A Program Sponsored by the National Council of Senior Citizens for the U. S. Department of Labor

March 11, 1975

Honorable Julius Hobson, Sr.
Council of the District of Columbia
5th Floor
14th and E Streets, N. W.
Washington, D. C. 20004

Dear Councilman Hobson:

The National Council of Senior Citizens is pleased to send you a copy of its Senior AIDES Program's report that we requested be placed in the record of Councilwoman Polly Shackleton's hearings on the "Needs of the Elderly" on March 6, 1975.

Senior Aides live and serve indigent clients in your Ward. We know you would appreciate being informed on this worthwile program.

We will continue to inform you concerning the activities of this program and count on your much needed support.

If we can be of further assistance please feel free to contact us.

Sincerely,

Rachel Essandoh

Rachel Essandoh
Regional Director

RECEIVED
MAR 12 1975
Julius Hobson, Sr.
Councilmember-At-Large

NCSC Senior AIDES Programs
Regional Director: Rachel Essandoh
1511 K Street, N. W., Suite 223
Washington, D. C. 20005
202-783-6850

FOR THE CITY COUNCIL'S RECORD

The National Council of Senior Citizens is grateful to have the opportunity to submit for the record a statement about the highly successful older workers programs which it sponsors in the District of Columbia.

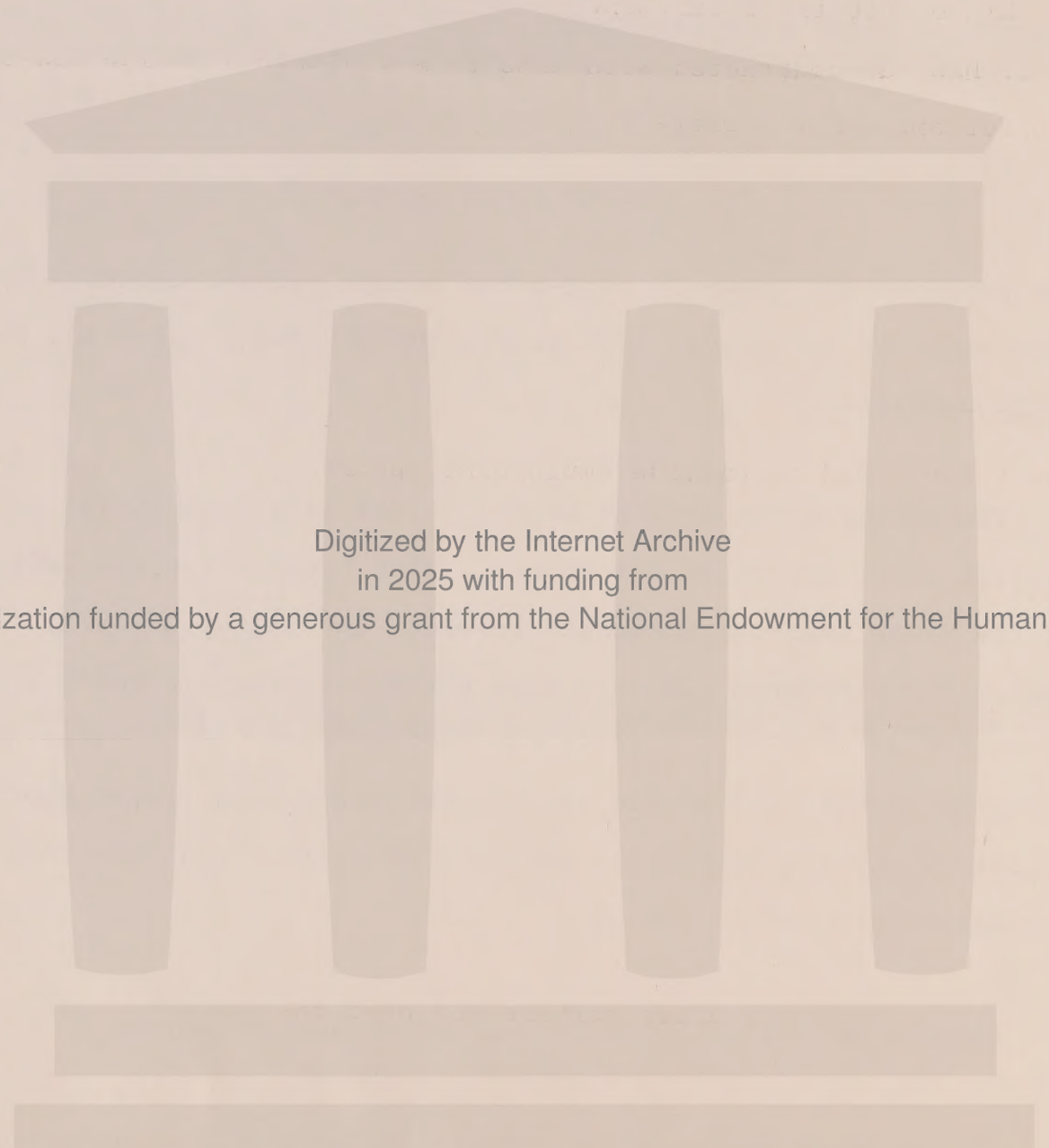
SENIOR AIDES PROGRAM

The projects are commonly called the Senior Aides Program. The term AIDES is an acronym for: Alert, Industrious, Dedicated, Energetic Service.

The Senior Aides Program began in 1968 as a demonstration project under Operation Mainstream. With the passage and funding of the Older American Community Services Amendments of 1973, the Senior Aides Program gained a more permanent status. Under both Operation Mainstream and Title IX, the National Council of Senior Citizens (NCSC) acts as the sponsor for the United States Department of Labor. We are currently operating fifty-four (54) programs throughout the United States.

Briefly let me tell you how we set up our projects:

The national Senior Aides office contracts with a public or private non-profit agency to sponsor and operate a project locally. Generally, the local sponsor must provide all administrative expenses on a 90/10 in-kind arrangement. A proposal must be submitted. It should emphasize public service employment providing direct human services to the elderly, although services rendered may benefit less advantaged persons of any age. In order to



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qualify for the program an applicant must be fifty-five (55) years of age or older, currently unemployed but willing and able to work, and have incomes not exceeding the Office of Management and Budget poverty level guidelines. For a single person this income must not exceed $2,330 per year and for a couple it should not exceed $3,070 per year.

Since 1968 the Department of Manpower (DOM) in Washington, D. C. has sub-contracted with NCSC to administer a Senior Aides Project employing eighty-five (85) people.

Later, in 1974, NCSC began a new Senior Aide project, modeled after the Operation Mainstream program which had been operating for six years in Washington, D. C. We called this new program the Adams/Morgan Senior Aides Project. The Adams/Morgan Project (A/MSAP) was established to provide employment opportunities to this target area. The A/MSAP employs fifteen (15) people. Its small size distincts the true story -- there are hundreds of people who could fill the small number of slots and thousands who need their services.

The over-all goals and objectives of the Washington, D. C. Senior Aides Projects are:

1. To provide meaningful and dignified part-time employment for our older workers who need the additional money to supplement their present meager incomes;

2. To assist the community in providing direct services to the elderly or any other indigent person;

3. To provide additional manpower to public and/or private organizations who have limited funds for staff and services;

4. To demonstrate that the older worker is capable of performing as effectively as anyone else once given the opportunity;

5. To provide job development opportunities allowing the older worker to re-enter the unsubsidized labor market;

and 6. To provide comprehensive training to Senior Aides who may need to enhance present skills and/or create new skills.

The type of services being rendered to the community are in the areas of: outreach, para-legal services, housing, nutrition, recreation, education, day care, counseling and information and referral.

The type of agencies who benefit from the additional manpower of Senior Aides are for example: The Catholic Center (Spanish Social Services), Operation PEP (Protection for Elderly People), Barney Senior Center, Project Link, Urban League, Stoddard Baptist Home, E. O. Fula (Spanish Nutrition Program), D. C. General Hospital, Campbell Day Care, Shaw Health Clinic, Liberty Day Care, Federal City College, Department of Human Resources for D. C., the Adams/Morgan Organization and the United Planning Organization.

For example, at Operation PEP alone, the Senior Aides were responsible for providing services to the elderly involving consumer complaints, housing problems, transportation, tax information, health information and referral. The Senior Aides at this agency have serviced over one thousand (1,000) elderly since the inception of the project in August, 1974.

The Senior Aides Projects have made an asserted effort to employ and serve all ethnic groups. In some cases, the Senior Aides project is the only means of decent employment for the older Spanish speaking citizens who are not fluent in English. Age and the language barrier relegate them to the rolls of the un- and underemployed.

Many of our black elderly have never had a chance to work in positions with dignity. Many were forced to accept menial, low paying jobs in their early work life. Most somehow managed to educate their children, who they look to with pride and accomplishment but also with the hope that they will be sensitive and understanding of their needs.

Many of our elderly do not receive any pension and frequently their social security benefits are at the very minimum. This is mainly due to long periods of umemployment and/or low paying jobs when they were employed. They are proud of not accepting welfare and today would feel more degraded if they reverted to this subsidy.

These same people were at their highest productive years during the last depression; they managed to over-come from that period, however their strength has been weakened during these present hard times.

Regretfully, at a time of high unemployment, an unstable economy, and inflationary prices, the elderly are being threatened with the loss of employment opportunities from the U. S. Department of Labor (DOL). If the DOL is successful in defunding the programs in June 1975, this will mean the Senior Aides and the good service they provide to their communities will be terminated.

We all know what this DOL decision would mean to thousands of

our less advantaged Washingtonians. The rejection by the mainstream of our society to provide meaningful job opportunities to our older workers would be more than an emotional shock to them. For many it would sound their death knell.

The cost of subsidizing the growing population of our elderly would be more of a burden to our city than providing work opportunities. It would remove them from the tax rolls and put them on the welfare rolls.

We appeal to this council for its support in providing job opportunities on an even broader scale than presently exists. This support we are sure will help alleviate some of the perils of loneliness, bad housing, malnutrition, poor health care and generally the lack of recognition our elderly presently must endure.

Only then, when we receive your support, can our goal of significant improvement in the day-to-day surroundings of every senior Washingtonian become a reality.

April 16, 1975

Ms. Rachel Essandoh
Regional Director
National Council of Senior Citizens
1511 K Street, N.W.
Washington, D.C. 20005

Dear Ms. Essandoh:

Thank you for sending me a copy of your Senior AIDES Program report.

I wish this new program every success.

Sincerely,

Julius W. Hobson
Councilmember

May 20, 1976

Ms. Catherine J. Erickson
1741 Greenbriar Drive
Kalamazoo, Michigan 49008

Dear Ms. Erickson:

Enclosed is a copy of "The Damned Information", as requested.

Sincerely,

Julius W. Hobson
Councilman at Large

Enclosure

FROM THE DESK OF

Catherine Erickson

May 14, 1976

Please send one copy of "The Damned Information".

Thank you,

Catherine J. Erickson

Catherine J. Erickson
1741 Greenbriar Drive
Kalamazoo, MI 49008

Form PP-135 The Drawing Board, Inc., Box 505, Dallas, Texas

Catherine J. Erickson

1741 GREENBRIAR DRIVE • KALAMAZOO, MICHIGAN 49008

Councilman Julius Hobson, Sr.
D.C. City Council
District Building
14th and E. Sts., N.W.
Wahington, D.C. 20004

May 22, 1975

Mr. Marian Edey
League of Conservation Voters
324 C Street, S.E.
Washington, D.C. 20003

Dear Mr. Edey:

Enclosed is a copy of a notice of public hearing on returnable beverage container legislation which is being held by the Committee on Transportation and Environmental Affairs. Either you or your organization may wish to testify before the Committee or submit a written statement. The hearings are scheduled for June 4 and 5, 1975 at 10:00 a.m., 2:30 p.m., and 7:30 p.m.

The hearings concern a topic that is of vital importance to the whole issue of solid waste management and the environment, and I invite you to testify. If you wish to give testimony you should contact Ms. Gwen Bohlke at 638-2223 or 629-3806 before 5:30 p.m. on June 2, 1975.

Sincerely,

JULIUS W. HOBSON
COUNCILMEMBER AT LARGE

Enclosure

Monday, September 8, 1975

Ms. Lois Edmondson
Acquisitions Department
The McKeldin Library
University of Maryland
College Park, Maryland 20742

Dear Ms. Edmondson:

Enclosed is a copy of "The Damned Information" by Julius W. Hobson, published by the Washington Institute for Quality Education, June 1971, you requested as an acquisition to the McKeldin Library.

Sincerely,

Paul Sanders Brown
Executive Assistant to
Julius W. Hobson
Councilmember at Large

Enclosure

October 14, 1975

Dr. William H. Rumsey
Deputy Director
D.C. Department of Recreation
3149 16th Street, N.W.
Washington, D.C. 20010

Dear Dr. Rumsey:

Please provide a detailed report on the status of women in the Department of Recreation. This should include an analysis of employment patterns by salary grade and sex.

I am also desirous of ascertaining the participation rates of male and females, for all age levels, e.g. preschool, school-age children, teenagers and adults in the various programs offered by the department. What steps are taken to ensure that girls are equally encouraged to participate in recreational activities as boys are? Is participation restricted by sex in any of your programs? How do you assure that private groups who use your facilities do not practice sexual discrimination?

Sincerely yours,

JULIUS W. HOBSON, Chairman
Committee on Education, Recreation,
and Youth Affairs

cc: Mr. Joseph Cole, Director

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF RECREATION
3149 SIXTEENTH STREET, N. W.
WASHINGTON, D. C. 20010

November 4, 1975

The Honorable Julius W. Hobson
Chairman, Committee on Education,
Recreation & Youth Affairs
D. C. City Council
Washington, D. C. 20004

Dear Councilman Hobson:

Following is the report on the status of women in the Department of Recreation which you requested in your letter of October 20, 1975.

A review of the Department's minority employment status reveals that 86 percent of all employees are Black. Of the Department's 536 recreation and administrative positions, 50 percent are occupied by women. The average grade for both male and female is slightly over a GS-8. The average salary for both male and female employees is $11,640. The heavy concentration of males in maintenance occupations precludes establishment of hiring goals for women beyond present limits unless the labor market produces more qualified women. However, our Personnel Office has been successful in encouraging women to accept appointments to the buildings and grounds maintenance career field. This will continue.

An analysis of our staffing pattern indicates that women occupy 36.3 percent of our positions at the GS-9 through GS-11 level. We believe our record thus far is pretty good. The Department of Recreation, in our opinion, stands out among many departments of the District of Columbia Government in employing qualified females for positions GS-9 and above within our budgetary limitations. It is our opinion that many variables must be taken into consideration when one seeks to answer truthfully questions about employment of females in professional recreation positions.

A major variable, for example, falls in the category of preparation at the college level regarding the number of women who major in Recreation as a specialty, Physical Education, Sociology, or the Arts. Males out number females as majors in the above fields, especially in the District of Columbia and nearby colleges and universities by six to one. Another variable is the fact that under the Civil Service standards for hiring employees, we cannot discriminate against men or women, but rather hire on the basis of education and experience.

Still another variable, which we cannot overlook, is the fact that staffing pattems in recreation must be considered. We could hardly have all women on one playground or all men. Therefore, the general staffing pattern is to have at least a male and a female on all playgrounds.

The Department has a heavy concentration of males at the GS-9 and GS-10 levels in the Roving Leader Program because so much of the roving leader effort is directed at delinquent male youth. I do not anticipate significant changes in our staffing pattern at the GS-9 through GS-11 levels unless Congress and, hopefully, the City Council authorize additional positions for the employment of women in the Roving Leader Program. With respect to the few positions at the GS-12 level and above, we do not foresee a significant turnover in the next three years. However, we are presently participating in the D.C. Personnel Affirmative Action Plan (see enclosure) for placement of women at GS-12 level and above and are very sensitive to our obligations. I can assure you, however, that at no time do we discriminate against women to promote or to hire them in high level positions in the employment competitive system.

Participation Rates of Male and Female in
Various Programs for all Age Levels

Since the Department's programs are so varied, ranging from Cooperative Play with 3-, 4-, and 5-year olds, After School Care Program, and Adult Programs, we have summarized these separate groups and have made a general statement about the activities on the many playgrounds and recreation centers, and listed them as general recreation services.

Generally speaking, we should indicate, however, that we have specifically three programs - Cooperative Play, Day Care and After School Care - whose participation is governed by enrollment and where there is absolutely no regard to race, sex or other discriminatory factors. These special programs have separate statements relating to them and are also governed by Federal statutes preventing operation with Revenue Sharing Funds in a discriminatory fashion.

As for the general program for boys and girls, we have made reports of several selected items which we hope will bring out the point that we do have open registration for these items. Even though we structure programs for girls and boys separately, we have found no instances where any child who has applied within the age and weight classification, if such be the requirement, has been denied the opportunity to participate. You will note that in some instances we have a much larger percentage of boys and in others a larger percentage of girls in co-recreation activities.

In summary, we have been heading towards increased participation by both sexes in sports and recreation activities. We earnestly solicit both boys and girls to participate. We will make sure that our staff members are specifically careful in ensuring that girls are given an equal opportunity for participation in our activities.

Cooperative Play Program

> The Cooperative Play Program is a free public funded program for 3-, 4-, and 5-year olds, residing in the District of Columbia. The program services all socio-economic levels with no race or sex discrimination. Therefore, all girls and boys meeting the age and resident requirements are eligible for the program.
>
> There are no sex restrictions in the program for the children, parents or employees.

Every child participates in all phases of the pre-school program regardless of sex.

Cooperative Play
Partial Pre-School Enrollment

Girls	408
Boys	396

The foremost qualifying criterion for entrance into the Day Care Program is that the child in question comes from a home in which the combined annual income of the parents or guardians does not exceed $7,000. This restriction, coupled with the stipulation that parents be enrolled and participating in training programs, is the only selective practice tolerated within the program.

While Day Care facilities are publicized, there is no element of preference regarding male or female enrollment. Consequently, the actual ratios are quite random and merely indicative of community needs.

Restrictions by sex are elminiated by adhering strictly to a "first come" - "first serve" policy.

All physical plant facilities utilized by the Day Care Program are in a tenet capacity only. In this regard, sole responsibility for the prevention of sex discrimination when private groups have use of the facilities is invested in individual property management.

Day Care Enrollment

Center	Number of Boys	Number of Girls	Total
Barry Farms	13	12	25
Douglass	11	8	19
Malcolm X	10	10	20
Watkins	10	7	17
Potomac	12	12	24
Bald Eagle	13	7	20
Randall	11	13	24
New York	9	11	20
Powell Lincoln	13	7	20
Woodridge	11	8	19
Emery	14	11	25

Day Care Enrollment (Continued)

Center	Number of Boys	Number of Girls	Total
Banneker	8	9	17
Webb Trinidad	6	9	15
Kenilworth Parkside	4	14	18
East Capitol	14	8	22
Langston	4	9	13
Benning Park	4	14	18
Rosedale	10	6	16
Deanwood	10	4	14
Stoddert Terrace	9	9	18

After School Care Program
Boy/Girl Participation Equalization

The implementation of the After School Care Program is to provide meaningful programs and encourage full participation by all boys and girls. This program is designed to allow each child an opportunity for new and constructive peer-group relationships, regardless of sex. We encourage both girls and boys to participate in structured activities of the D.C. Department of Recreation as well as other community activities. The children are given the freedom to choose the activities they prefer without apprehension.

Listed below are a few activities and special events that are taking place at the various centers on a co-ed basis:

Learn to Play Tennis Program	Telephone Demonstrations (Workshop)
Roller Skating	Hockey on Skates
Gardening	Camping
Fishing Trips	Movies
Kickball	Volleyball
Cooking Classes	Hygiene Classes
Arts & Crafts Exhibitions	Gymnastics
Putt-Putt Golf	Birthday of the Month Clubs
Tutorial Aide	Field Trips
Pre-Teen and Teen Clubs	Dance: Tap, Modern, and African

Total number of children being served is 587; 320 girls and 267 boys.

Participation Rates of Males and Females for
All Levels in the Various Programs Offered
by Department

By Program	Total	Male	Female
Mental Retardation & Physically Handicapped	1,364	806	558
Roving Leaders	18,278	12,795	5,483
Mental Health	8,400	4,000	4,400
Senior Citizens	30,855	10,323	20,532
Youth Gardens	1,200	750	450
Adult Sports	140,681	93,782	46,899
Day Camps	2,400	720	1,680
Resident Camp	1,512	956	556
Tennis Instructions	1,157	405	752
Aquatics	2,776,930	1,805,004	971,926

Participation of Male and Female,
by Activity

Activity	Girls vs. Girls	Boys vs. Boys	All Age Levels
Golf	"	"	"
Archery	"	"	" some mixed
Volleyball	-	-	" some mixed Co-Rec tournaments
Swimming	"	"	"
Soccer	"	"	" 10% girls with boys
Tackle Football	-	"	"
Touch Football (Powder Puff)	"	-	"
Touch Football	-	"	" 3% girls
Softball	"	"	" 1% mixed
Baseball	"	"	" 1% mixed
Hobbies (boats, planes, Kites, etc.)	"	90% boys	"
Track	"	"	"
Tennis	"	"	" mixed doubles
Bowling	"	"	" mixed doubles
Kickball	12 and under		" mixed
Arts (tap & ballet, etc.)	90% female	"	"
Low Organized Games	12 under - 50%	- Over 13	60%-40% male

Girls are never discouraged to participate in any of the above activities. All participants get the same encouragement; however, those girls with some ability are more favored than some boys where there is a matter of choice. Proper leadership and guidance, both male and female, are at their disposal at all times.

Restrictions to some programs may be noted above, but where girls have shown interest and some ability they have been accepted and participate with males.

Private groups must agree to our policies and procedures before they are granted the use of our facilities and we have never received any complaints on the matters presented either before or after usage.

If you have any further questions on the status of women in the Department of Recreation, or if the Department can assist you in any way, please do not hesitate to contact us.

Sincerely yours,

William H. Rumsey, Ph.D.
Deputy Director

Enclosure 1
Department of Recreation
Affirmative Action Plan
for Equal Employment
Opportunity

Council of the District of Columbia
COMMITTEE ON EDUCATION, RECREATION AND YOUTH AFFAIRS

Special Meeting

29 October 1975
10:00 A.M.
Room 501

AGENDA

I Quorum Call.

II Discussion with Mrs. Virginia Morris, President of the Board of Education, and Mr. Vincent Reed, Acting Superintendent of Schools

SUGGESTED QUESTIONS

Education, Recreation and Youth Affairs Committee
Mr. Hobson, Chairperson

1. What is the current status of the reported overhiring of teachers?
2. What actions are proposed with reference to the reported environmental problems in the schools?
3. What is the status of placement of Special Education students in private facilities through tuition grants?
4. What is the current status of the establishment of your personnel control system?
5. What steps have been taken by the Board and Administration to move towards school site budgeting?
6. What is the average pupil-teacher ratio in the elementary schools and what is the range?
7. What is the status of the marine and aeronautical program at Randall?
8. What is the status of the mathematics program at Ballou Senior High?
9. Have initial allotments of supplies been received by all of the schools?
10. Has there been any administrative or Board response to Rev. Kemp's proposal to return surplus school buildings to the city?
11. What is the current status of equalization and what steps have been currently undertaken to implement the decree?
12. What is the status of the Title I Program and comparability?

Have there been any major reducations in Federal Grants received for FY 1976?

Council of the District of Columbia
COMMITTEE ON EDUCATION, RECREATION AND YOUTH AFFAIRS

Special Meeting

29 October 1975
10:00 A.M.
Room 501

AGENDA

I Quorum Call.

II Discussion with Mrs. Virginia Morris, President of the Board of Education, and Mr. Vincent Reed, Acting Superintendent of Schools

COUNCIL OF THE DISTRICT OF COLUMBIA

WASHINGTON, D. C. 20004

JULIUS W. HOBSON
Councilman at Large

November 21, 1975

Mrs. Helen Lewis
Executive Director
D.C. Commission on the Status of Women
Room 204- The District Building
14th and E Streets, N.W.
Washington, D.C. 20004

Dear Mrs. Lewis:

Enclosed is a copy of a letter dated October 14, that I sent to the Deputy Director of the D.C. Department of Recreation. The answer is dated November 4, and is also enclosed. I asked Dr. Rumsey for a breakdown by sex of the participants in the various recreational programs and for a profile of the Department of Recreation regarding the status of women in general.

The District of Columbia Commission on the Status of Women would be providing me with expert and valuable assistance if the Commission could review the status of women in the Department of Recreation.

The Department of Recreation is proud of its hiring record and feels that it "stands out among many departments of the District of Columbia Government ..." Recommendation and comments for improvement would be appreciated.

Thank you for your assistance.

Sincerely,

Julius W. Hobson

Julius W. Hobson
Chairman
Committee on Education, Recreation & Youth Affairs

Enclosures
cc: Dr. William H. Rumsey, Deputy Director, D.C. Department of Recreation

January 15, 1976

Ms. Jan Eichorn
Assistant Director for
State and International Programs
D.C. Bicentennial Office
777 14th Street, N.W. (Wyatt Building)
Washington, D.C. 20005

Dear Ms. Eichorn:

Thank you for the copy of the new brochure on the D.C. Bicentennial Salute to the States. I am forwarding to you a proposal from a citizen with some ideas for the bicentennial celebration for your review.

Sincerely,

Julius W. Hobson

Enclosure: Letter and attachments from
Ms. JoAnne R. Kenny
33 K Street, N.W. #916
Washington, D.C. 20001

cc: Miss Kenny

12-15-75

Hi, I'm Joanne Kenny from Washington, D.C. I have some ideas for the bicentenial celebration. Please read it and let me know how you like it.

Copies were sent to.

(a) The mayor
(b) Sterling Tucker
(c) Mr. Willie Hardy
& others

Sincerely,
Joanne E Kenny

Mail Routing Slip

Date: _____

To: Councilmember Julius Hobson

Comments: _____

Pat Miner: _____

Lou Aronica: _____

Sandy Brown: _____

None

Lorraine McCottry: _____

Alice Blue

GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE

OFFICE OF BICENTENNIAL PROGRAMS

WYATT BUILDING
777 - 14TH ST., N.W.
WASH., D. C. 20005

January 5, 1975

The Honorable Julius Hobson
D.C. Councilmember
District of Columbia Council
District Building
14th & E Streets, N.W.
Washington, D.C. 20004

Dear Councilmember Hobson:

The enclosed copy of our new brochure on the D.C. Bicentennial Salute to the States program includes a calendar of State Days for 1976 on the last page.

We appreciate the participation and assistance of Councilmembers with our 1975 programs and look forward to working with you in this Bicentennial year. If there are particular State Days you wish to be a part of, please let us know -- especially if you have any ties to one of the states we will salute. Your participation is welcome at any and all of these programs.

Sincerely yours,

Jan Eichhorn

(Ms.) Jan Eichhorn
Assistant Director
for State & International Programs
D. C. Bicentennial Office

THE DISTRICT OF COLUMBIA SALUTES THE STATES

The Governor's Footguard of Connecticut performs during the Ceremony at the U.S. Capitol on "Connecticut Day" in the Nation's Capital.

The District of Columbia is holding a series of State Days as part of our Bicentennial observance. Mayor Walter E. Washington has invited the Governors, Congressional Delegations and Bicentennial Commissions of the fifty states to take part in a D.C. Bicentennial Salute to the States, which began in May of 1975 and will continue throughout 1976. Each State Day provides us with an opportunity to make many new friends. We hope that you, too, will join us in saluting your state.

The program is sponsored by the District of Columbia Bicentennial Office with assistance from the National Park Service and with the cooperation of Congressional offices, State Bicentennial organizations, State Societies, alumni associations and other interested groups. We will also salute the four U.S. Territories in 1976.

In 1975 the District of Columbia's first locally-elected Mayor and Council in over a century took office. The State Day program is one way our new "home rule" government and D.C. residents can exhibit our desire to serve as a hospitable host community for the nation—the citizens of the fifty states with whom we share our city.

Ceremony at the U.S. Capitol

Each State Day begins with a morning Ceremony on the West Front Terrace of the majestic Capitol. Here D.C. Mayor Walter Washington officially proclaims the State Day. The proclamation is usually accepted by the Governor or Lt. Governor of the honored state. Performing groups from the state entertain with song, dance, drills and parades. A D.C. student will recite a poem written in honor of the state. The Senators and Dean of the House Delegation make remarks on the meaning of the Bicentennial. The historical and cultural contributions of the honored state are celebrated in song and speech, poetry and proclamation.

Top Left: *The 1st Virginia Regiment of the Continental Line marched on the West Front Terrace at the Capitol Ceremony on "Virginia Day." In view seated immediately to the left of the podium are Virginia Governor and Mrs. Mills Godwin.*

Performing Groups

For each State Day, the Senators and Congressmen of the honored State may invite constituent groups to take part in the program, as do music committees in the state. The groups must be self-supporting, but the D.C. Bicentennial Office can direct them to low cost housing and restaurant facilities. Some groups can perform one selection at the Capitol Ceremony and the Avenue program and a procession of bands might precede the Capitol Ceremony. Other special performing opportunities are available. The entire performance schedule and logistics are handled by the D.C. Bicentennial Office, which will also provide the group with a host escort for their State Day. Each group is photographed at the Capitol with elected officials of their state. Performing groups have come from high schools, elementary schools, universities and colleges, military units and community organizations. They have included bands, drum and bugle corps, drill teams, choirs, dance groups, puppet shows, musical reviews and ensembles, clowns and fife and drum corps.

Middle Left: *The Little General's Cloggers of Kennesaw are pictured with their Congressman, Lawrence McDonald, at the Capitol on "Georgia Day".*

Congressional Luncheon

Following the Capitol Ceremony a luncheon is held in the Rayburn House Office Building. The First Lady of D.C., Mrs. Walter Washington, and our Congressional Delegate Walter Fauntroy, are usually on hand with welcoming remarks. The luncheon can feature choirs or other appropriate performing groups from the state and exhibits can be displayed in the banquet room. A keynote speaker, usually a Member of Congress, reviews little-known history of the state—which is often amusing as well as enlightening. The Congressional Delegation and state elected officials are invited as guests. The luncheon is open to the public and performing groups at a small charge per person, and reservations must be made with the D.C. Bicentennial Office.

Bottom Left: *On "South Carolina Day" beneath a Bicentennial quilt made by South Carolina quilters, D.C. Delegate Fauntroy addresses luncheon guests including South Carolina Congressmen Holland and Jenerette, Senator Thurmond and Mrs. Washington at the headtable.*

Avenue Program

There is an avenue in the District of Columbia named for each of the fifty states. Each State Day includes an afternoon program on or near the honored state's avenue, in the spirit of the sister-city concept. Here state visitors have an opportunity to visit a D.C. neighborhood and meet residents of the Capital City. Students at our schools on the state avenue study the history of the honored state and write poems, skits, songs and dances in honor of the state. Their performances, and performances of groups from the state, are featured in the Avenue program. On occasion, the D.C. Bicentennial Office has arranged for marching bands from the honored state to perform on their state avenue or to march down it in parade.

Top Right: *D.C. Children living near Massachusetts Avenue and dressed as pilgrims present flowers to the First Ladies of Massachusetts and D.C. at the Avenue program on "Massachusetts Day."*

Special Avenue Programs

On "Connecticut Day" the 1st Litchfield Regiment fired its cannon on Connecticut Avenue—five times for the fifth state to enter the union. The "New Hampshire Day" program featured a Bicentennial puppet show from the Univ. of New Hampshire, which also performed at D.C. elementary schools on the day preceding the State Day. Atlanta's High School of the Performing Arts presented their fifty-minute Bicentennial Musical Review at Howard University on Georgia Avenue, as well as at other sites. Many states have brought their state trees and flowers for planting on their state avenue in a Bicentennial dedication ceremony. One state wants to hold a fair on their state avenue, bringing arts and crafts exhibits from their state. Pennsylvania brought 6 teachers and 48 elementary school students in colonial costume from their Project 1776 program. They attended the Capitol Ceremony and spent the afternoon engaged in colonial workshops with students at a D.C. school on Pennsylvania Avenue.

Middle Right: *Gil Center, Exec. Director of the New Hampshire Bicentennial Commission, and A. Knighton Stanley, Exec. Director of the D.C. Bicentennial Office, join neighborhood leaders in planting New Hampshire's clump birch and lilac on New Hampshire Avenue.*

Special Performance Opportunities

The D.C. Bicentennial Office, working with the National Park Service, can arrange special performance opportunities for groups from the honored state. In addition to visiting the inspiring Lincoln Memorial, groups can perform there on the reflecting pool terrace. Other performing sites include the Jefferson Memorial terrace, on the Mall across from the Smithsonian, in President's Park behind the White House and at D.C.'s many lovely downtown parks and circles. Groups must bring their own electrical equipment for these performances and chairs cannot be provided. At the request of the group, the D.C. Bicentennial Office will try to arrange benefit performances at D.C. schools, hospitals and senior citizen centers.

Bottom Right: *The Piscataway High School Band performed at the Lincoln Memorial on "New Jersey Day" in the Nation's Capital.*

Above: *Senators Edward Brooke and Edward Kennedy greeted members of the Patriot players of Cape Cod, who performed a selection from "1976" at the Capitol on "Massachusetts Day."*

Above: *On "Pennsylvania Day" students and teachers from that state, in colonial costume, conducted colonial workshops for students at D.C.'s Orr School just off Pennsylvania Avenue.*

The following calendar lists State Days scheduled for 1976. The original thirteen colonies were honored in 1975 and are not listed below, except for New York which will be honored in March of 1976. Some further changes in the schedule may be required to accommodate Congressional recess schedules. In connection with most of the D.C. State Days, the **Bicentennial Parade of American Music,** will sponsor a concert featuring musicians from the honored state performing the works of state composers. These free, one-hour concerts are held at 5:30 p.m. at the John F. Kennedy Center for the Performing Arts, usually the day before the State Day. They are sponsored by the National Music Council and National Federation of Music Clubs and are coordinated by Dr. Merle Montgomery, 222 E. 80th Street, New York, New York 10021.

State	State Day	State	State Day
Alabama	April 13 (Tues.)	Missouri	April 27 (Tues.)
Alaska	Nov. 16 (Tues.)	Montana	Aug. 31 (Tues.)
Arizona	Nov. 9 (Tues.)	Nebraska	Aug. 3 (Tues.)
Arkansas	May 3 (Mon.)	Nevada	July 27 (Tues.)
California	June 29 (Tues.)	New Mexico	Nov. 5 (Fri.)
Colorado	Aug. 10 (Tues.)	New York	Mar. 19 (Fri.)
Florida	May 24 (Mon.)	North Dakota	Aug. 24 (Tues.)
Hawaii	Nov. 19 (Fri.)	Ohio	Mar. 26 (Fri.)
Idaho	Sept. 21 (Tues.)	Oklahoma	Oct. 1 (Fri.)
Illinois	April 6 (Tues.)	Oregon	June 18 (Fri.)
Indiana	June 11 (Fri.)	South Dakota	Sept. 10 (Fri.)
Iowa	June 1 (Tues.)	Tennessee	Feb. 3 (Tues.)
Kansas	July 23 (Fri.)	Texas	May 27 (Thurs.)
Kentucky	Jan. 20 (Tues.)	Utah	Nov. 12 (Fri.)
Louisiana	Mar. 5 (Fri.)	Vermont	Feb. 20 (Fri.)
Maine	Mar. 12 (Fri.)	Washington	Sept. 14 (Tues.)
Michigan	May 7 (Fri.)	West Virginia	May 12 (Wed.)
Minnesota	June 22 (Tues.)	Wisconsin	June 15 (Tues.)
Mississippi	Mar. 30 (Tues.)	Wyoming	Sept. 28 (Tues.)

D.C. BICENTENNIAL SALUTE TO THE STATES
District of Columbia Bicentennial Office
777 14th Street, N.W.
Washington, D.C. 20005
(202) 727-3096

Staff: Ms. Jan Eichhorn, Director; Jim May, Jinny Marra, Congressional Liaison; Daria Winter, Community (Avenue) Liaison; Dianne Wilson-Clark, Special Assistant; James Keaton, Secretary.

(Update - Jan. 26, 1976)

BUDGET REVIEW SCHEDULE

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
1-18-76	1-19-76	1-20-76	1-21-76	1-22-76	1-23-76	1-24-76
	10:00 C/W Work Session Spec.Leg.Session 2:00 F&R Hearing,#500	8:30 Budget Comm. Mtg. 9:30 HUD Hearing, #410 10:00 F&R Hearing, #500 7:00	10:00 HR&A Hearing,#500 10:00 GO Briefing, #503	9:30 PS Hearing, #410 10:30 E,R&YA Briefing, #510 2:00 T&EA Briefing, J.Moore Office, (DES)	9:30 GO Hearing, #410 9:30 ER&YA Hearing, 2:00 #500 (DCTC, Pub. Schools, Higher Ed, WTI, FCC) 2:30 T&EA Briefing, J.Moore Office, (Wash.Aqueduct) 3:30 Budget Comm. Mtg. #503 10:00 HUD Briefing,#501 10:00 PS&CA Mark-up, Shackelton Off. 5:00 F&R Briefing,#410	9:30 JCP Hearing, #500
1-25-76	1-26-76	1-27-76	1-28-76	1-29-76	1-30-76	1-31-76
	10:00 C/W - Budget,#500 1:00 ER&YA Briefing, Hobson Office 1:00 HR&A Mark-up,#500 2:00 ER&YA Hearing, #410 (Libr.,Recc. OYOS) 2:00 T&EA Briefing, J.Moore Office, (DOT) 3:00 F&R Briefing,#501 3:00 GO Mark-up,#225 *2:00 HUD Hearing,#500	10:00 Legis.Session, #500 1:30 ER&YA Mark-up, #503 2:00 EED Hearing,#410 2:00 T&EA Briefing, J.Moore Off. (WMATC,WMATA,& OBMS) 2:00 Budget Comm. Mtg. #501 DEADLINE: MARK-UPS! CLOSE OF BUSINESS	8:30 PS&CA Hearing, #410 1:00 J&CP Briefing 4:00 E&ED Mark-up,#501	9:00 T&EA Hearing,#410 10:00 F&R Briefing,#501 10:30 ER&YA Mark-up, Hobson Office	9:00 J&CP Briefing, #500 10:00 Budget Comm. Hearing, #410 3:00 Budget Comm. Mtg. (earlier if hear. is over), #503 *10:00 T&EA Mark-up,#503	10:00 Budget Comm. Mtg. #503 10:00 F&R Mark-up,#501
2-1-76	2-2-76	2-3-76	2-4-76	2-5-76	2-6-76	2-7-76
	10:00 C/W - Budget 2:00 C/W - Work Sess.	4:00 Spec. Legis. Sess. BUDGET ACT, #500			* Additions or corrections to last schedule	

(Update - Jan. 26, 1976)

BUDGET REVIEW SCHEDULE

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
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2-1-76	2-2-76	2-3-76	2-4-76	2-5-76	2-6-76	2-7-76
	10:00 C/W - Budget 2:00 C/W - Work Sess.	4:00 Spec..Legis. Sess. BUDGET ACT, #500			* Additions or corrections to last schedule	

February 4, 1976

Mr. Robert L. Edenbaum, President
Washington Parking Association
1301 20th Street, N.W.
Sunderland, Suite 103
Washington, D.C. 20036

Dear Mr. Edenbaum:

Thank you for your communication concerning the recommendations of the Finance and Revenue Committee. I will certainly keep your views in mind when the Council considers this issue.

Sincerely,

Julius W. Hobson

WASHINGTON PARKING ASSOCIATION

OFFICERS

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A. George Cook, *Vice President*
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Sunderland, Suite 103 • 1301 20th Street, N. W. • Washington, D. C. 20036

Telephone 296-5765
296-1550

February 2, 1976

The Honorable
Julius Hobson, Sr.
District of Columbia
District Building
14th & E Streets, N.W.
Washington, D.C. 20004

Dear Council Member:

The Washington Parking Association wishes to protest strongly the recommendations of the Finance and Revenue Committee to raise the parking tax from 8% to 15% even before the effects of the recent 8% parking tax, effective on December 1, 1975, on the District of Columbia economy have had an opportunity to be evaluated. We wish, also, to point out that the minimum wage at the same time covering our industry was increased from $2.05 to $2.75.

The Washington Parking Association wishes to report that its members are currently experiencing a substantial decrease in their daily business since the 8% tax went into effect. We wish to call your attention to the fact that this decrease must reflect an over all reduction in gross volumes of other areas of business for which parking is only a sattelite.

For each car which doesn't come downtown, whether short term or long term, hourly or daily, irregular or regular, it means that there are 2 or 3 persons on an average who do not contribute to the economy of the District of Columbia, by occupying office space, visiting our professionals, such as doctors and lawyers, visiting her cultural landmarks, eating in restaurants, or to shop at Washington's retail stores, or attend her places of entertainment.

The 8% parking tax went into effect on the first of December 1975 and the full impact is not yet recorded.

Mr. George Cook, Vice President of the Washington Parking Association, discussed the effects of the current 8% parking tax with the Chairman and Staff members of the Finance and Revenue Committee at its round-

table discussions on Friday, January 30, 1976. Mr. Cook cited the example of a Charles E. Smith Management Company representative who indicated he leased office space at Crystal City, Virginia to a major tenant, new to the area, because it could rent 150 parking spaces for $18.00 per car space compared to paying $60.00 and the additional 8% parking tax per car space in Washington's downtown buildings. Mr. Cook pointed out that "these 150 parking spaces do not simply represent 150 cars, but that it represents about 300 to 450 persons whose purchasing power is being lost to Washington, D.C."

We strongly urge that any decision to increase the over all parking tax rate be withheld, at least until there are definitive conclusions on the impact of the present 8% parking tax, on the downtown business community.

Parking is a barometer of the economic atmosphere of the District of Columbia. The effects on its business is only indicative of what is happening in the other sectors of the city. Parking is not a luxury, it is necessary to the economic vitality of the District of Columbia. Those cars chased out of Washington will not be chased out of the suburbs. Dollars not spent here will be welcomed in the suburbs.

Respectfully,

Robert L. Edenbaum

Robert L. Edenbaum
President

February 9, 1976

Miss Rene Edwards
Eugene A. Clark School
4501 Kansas Avenue, Northwest
Washington, D.C. 20011

Dear Rene:

I could not agree with you more that "smoking is dumb and makes you sick." I have introduced legislation called "The Clean-Air Bill", and if it is passed by the Council, it will certainly help to clean up the air so that you and all of the citizens of the city can breathe. If you are having pains in your chest I hope you have told your parents and they can take you to the doctor.

Thank you for your letter and I hope you will continue as you grow older to be concerned with your environment.

Sincerely,

Julius W. Hobson
Councilman at Large

4051 Kansas Av
Clark School
Washington D.C.

Dear Mr. Julius Hobson

I think that smoking is dumb because so many people get sick and die from it. I think if we stop right now by the time I grow up there will be fresh air. So many old people are dying because of the bad air. Also your life is cut short. you can get emphysema and can't walk or can't breath. Sometimes I get pains in my chest because of the polluted air. Please stop smoking so the air will be fresh. And your life will be long and happy.

Rene' Edwards

EBONY 820 South Michigan Avenue · Chicago, Illinois 60605 · (312) 786-7600

February 10, 1976

Dear Mr. Hobson: As you know, the nation is confronted with moral, political, economic and social crises of such magnitude that this year's presidential election may turn out to be the most important of this century. All Americans will have to make a very careful choice of their president for the next four years because so much is at stake.

Because you are one of the more than 3,600 black elected officials, the editors of EBONY value your opinion in these matters and we ask you to indicate on the attached sheet the name of the person who is your choice for president. CHECK ONE PERSON ONLY. YOU DO NOT HAVE TO SIGN YOUR NAME. After you have indicated your choice, simply place the poll sheet inside the enclosed stamped envelope and mail it--immediately, please--to EBONY. The results of the poll are scheduled for our next issue, so we ask you to respond as quickly as possible.

Be sure to write in your choice if neither of the persons listed is, in your opinion, a suitable candidate. All of us at EBONY want you to know that we appreciate your cooperation.

Very respectfully yours,

Alex Poinsett

Alex Poinsett, Senior Staff Editor
for the editors of EBONY

Mr. Julius W. Hobson, Sr.
Councilman-At-Large
District Building
14th & East Streets, N.W.
Washington, D. C. 20004

AP:js
Enclosures: (2) Poll Sheet
Return Stamped Envelope

Ret 3/20/76
Checked
Julian Bond

COUNCIL OF THE DISTRICT OF COLUMBIA

WASHINGTON, D. C. 20004

JULIUS W. HOBSON
Councilman at Large

March 1, 1976

Dr. Therman Evans, President
District of Columbia Board of Education
The Presidential Building - 12th Floor
415 12th Street, N.W.
Washington, D.C. 20004

Dear Dr. Evans:

I am transmitting the Memorandum of Law which was prepared "pro bono" by Arnold and Porter at the request of Chairman Sterling Tucker; this document discusses the relationship of the Council of the District of Columbia and the Board of Education, pursuant to the District of Columbia Self-Governmental Reorganization Act. Arnold and Porter's analysis holds that the Council has been delegated full authority over educational matters which Congress formerly exercised, with two major exceptions: the authority to abolish the Board of Education, and to exercise line-item review and approval of the public schools' budget.

As a follow-up to this opinion, Arnold and Porter has agreed to prepare another memorandum on the specific authority of the Council to define and delineate the relationship of the Board of Education to the Superintendent of Schools. This was an area in which the Congress apparently exercise no authority prior to Home Rule; therefore, further clarification on this topic would be useful to both the Council and the Board of Education.

I think that this document provides an interesting analysis of the parameters of Council authority as well as reaffirms our legal basis for legislative action on educational matters. This is particularly germane since the Board of Education has appointed an Advisory Commission on Educational Law Revision. The Committee on Education, Recreation and Youth Affairs anticipates receiving a substantial educational legislative proposal from the Board of Education after the completion of the Commission's task and the adoption of such proposals by the Board of Education.

Sincerely,

Julius W. Hobson

Julius W. Hobson, Chairman
Committee on Education, Recreation & Youth Affairs

Enclosure
cc: Members, D.C. Board of Education
Mr. Vincent Reed, Acting Superintendent of Schools

ARNOLD & PORTER

1229 NINETEENTH STREET, N.W.

WASHINGTON, D.C. 20036

TELEPHONE: (202) 872-6700
CABLE: "ARFOPO"
TELEX: 89-2733

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PAUL A. PORTER
HILTON V. FREEMAN
NORMAN DIAMOND
WILLIAM L. McGOVERN
CAROLYN E. AGGER
J. DUANE VIETH
REED MILLER
ABE KRASH
J. HOWELL HILL
JULIUS M. GREISMAN
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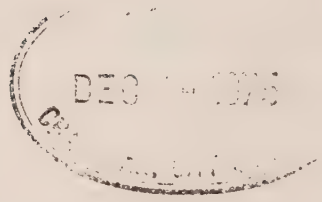
LAWRENCE A. SCHNEIDER
DAVID TOWEY
JAMES A. BEAT

MARTIN RIGER
ROBERT PITOFSKY
OF COUNSEL

December 5, 1975



The Honorable Sterling Tucker
Chairman of the Council of the
District of Columbia
District Building
14th and E Streets, N.W.
Washington, D.C. 20004

Dear Mr. Tucker:

You have asked us for our opinion on the respective roles of the Board of Education and the City Council under the District of Columbia Self-Government and Government Reorganization Act, Public Law 93-198 (1973). In summary, our conclusions are as follows. First, the City Council has, with two exceptions, set out below, been delegated the full legislative power over educational matters which Congress exercised in enacting Title 31 of the District of Columbia Code. Thus the

Council may undertake a thorough revision of Title 31 to improve the administration of the school system and to set broad policy guidelines. Second, the City Council has express power to change the pay and the incidents of election of the members of the Board of Education. And, third, the City Council could delegate additional powers to the Board, if it thought it desirable to do so.

The exceptions to the powers of the Council over education are that (1) the Board of Education has final authority over line-item expenditures in the school system's operating budget and (2) that the Board may not be abolished by the Council short of resort to the charter-amending process. We do not believe these exceptions significantly limit the Council's legislative power to insure that the District of Columbia has an adequate system of public education.

A chronological review of the governing legislation is required to make clear the basis for our opinion.

I. The Powers of the Board of Education

A. The Act of 1906 and Subsequent Miscellaneous Legislation

The basic legislation creating the District of Columbia Board of Education was enacted in 1906, Public Law 254, 59th Cong., 1st Sess. That Act provided:

> That the control of the public schools of the District of Columbia is hereby vested in a board of education to consist of nine members . . . .[*/]
>
> The board shall determine all questions of general policy relating to the schools, shall appoint the executive officers hereinafter provided for, define their duties, and direct expenditures.

Despite the seeming breadth of this language, vesting "control" of the schools in the Board and giving it power to determine "general policy," the actual powers delegated to the Board were quite limited. The Board's duties were to administer the schools within concrete

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*/ Under the 1906 Act the members of the Board were appointed by the Judges of the Supreme Court of the District of Columbia. In 1936, the power to appoint members of the Board was shifted to the Judges of the United States District Court for the District of Columbia, 49 Stat. 1921.

guidelines which Congress prescribed in the Act creating the Board and in accord with such legislation as Congress might subsequently enact.

Some of the congressional restrictions were narrow indeed. For example, the first section of the 1906 Act foreclosed the Board of Education from exercising discretion as to the length of the school day by mandating a whole school day session. Similarly, in the area of administration as well, the Board's powers were limited. The Board was required by statute to appoint a superintendent and a number of other specified officials. Congress even went so far as to specify the number of departments at each of the high schools in the city (e.g., eight departments at Eastern and four at Armstrong).

In later years, Congress added to the District of Columbia Code legislation which defined general school policy and directed how control of the schools was to be exercised in specific areas. The legislation covered matters such as compulsory school attendance

(§ 31-201); special programs for mentally or physically unfit students (§ 31-203); direction that the Board of Education keep daily records of attendance (§ 31-205); and a requirement that a census of school age children be made (§ 31-208).*/ Indeed, Congress found it necessary or appropriate to legislate even on such minutiae as the hours during which school buildings would have their entrances locked (§ 31-812) and an optional course in aeronautics in the senior high schools (§ 31-1201). Acts of Congress similarly set the teachers' pay scale (§ 31-1501) and the qualifications for employment (§ 31-1511).

The limited nature of the Board's "control" of the schools was underscored by the presence in Title 31 of a number of express delegations of power over education to the D.C. Commissioners rather than the

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*/ Despite the existence of this provision in the D.C. Code for 50 years, no school census has ever been taken. Hearings on H.R. 15643 Before the Subcomm. on Education of the House Comm. on the District of Columbia, 93d Cong., 25 (1973) (testimony of Superintendent Scott).

Board of Education. For example, § 31-307 gave the Board of Education the authority to fix fees to be paid by non-residents of the District, but subject to the approval of the D.C. Commissioners. Likewise, the Commissioners, and not the Board, were granted the power to make rules and regulations governing the teacher retirement plan pursuant to § 31-717 and § 31-736.*/ These powers were transferred from the Commissioners to the appointed City Council in the 1967 Reorganization of the City Government, and are now held by the elected City Council.**/

From the foregoing, it seems apparent that the power granted to the Board of Education in 1906 to "control" the schools and to set general policy was little more than the power to administer within such guidelines as Congress has provided or might provide in

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*/ Other provisions of this sort may be found in Reorganization Plan No. 3, § 402, Part 20, Appendix to D.C. Code Title 1 and in § 31-104(b) (requiring the Board of Education to consult with the Mayor and the City Council).

**/ Id.; Self-Government Act § 404(a).

the future. Thus, the powers of the Board were, like the powers of the rest of the District of Columbia government, "confined to mere administration." Metropolitan RR v. District of Columbia, 132 U.S. 1, 7 (1889). Moreover, the courts construed the Board of Education's powers narrowly, holding that where "Congress has assumed to deal with [a] subject specifically and in mandatory language . . ., the Board of Education has no right to exercise discretion. . . ." Cavanagh v. Ballou, 36 F. Supp. 445 (D.D.C. 1941). It was also held that the Board may neither hire nor fire teachers without obtaining the Superintendent's recommendations, Whitwell v. United States ex rel. Selden, 58 F.2d 895 (D.C. Cir. 1932).

The scope of authority accorded the District of Columbia Board of Education by Congress in 1906 was comparable to that of the typical school board in this country. In most states, school boards are an agency of the state government for the administration of public education. See 3A C. Antieau, Municipal Corporational

Law § 30.00 (1967). As such, they "are subject to the unlimited power of the state legislature," id. at § 30C.09 and "doubts as to the existence of school district powers are resolved against the district." Id. at § 30C.08. School boards are often subject to extensive control by both a state board of education, id. at § 30C.09, and actions of the legislature governing such items as the selection of textbooks (id. at § 30C.08); the qualifications of teachers (id. at § 30C.12); the tenure of teachers (id. at § 30C.18); the procedures to be used for the discharge of educational personnel (id. at § 30C.37); and free textbooks (id. at § 30C.08). The only difference between the powers of the District of Columbia Board of Education under the 1906 Act and those of a typical school board elsewhere was that the District of Columbia Board's administrative powers were prescribed by acts of Congress, rather than by the acts of a state legislature.

B. The District of Columbia Elected Board of Education Act of 1968

By legislation enacted in 1968, Congress expanded the membership of the Board of Education from nine to eleven. More importantly, it provided that the members were to be elected, rather than appointed by Judges of the District Court. D.C. Code § 31-101(a). However, no significant changes were made in the Board's powers. In fact, the language defining the powers of the elected Board of Education was indistinguishable from that used in the 1906 Act to define the powers of the appointed Board. There is no indication in the legislative history that Congress intended by this legislation to expand the authority of the Board, and there is agreement among knowledgeable commentators that no expansion of power was effected. See, e.g., 2 Report of the Commission on the Organization of the Government of the District of Columbia, H. R. Doc. No. 92-317, 92d Cong., 2d Sess. 395 (1972) [hereinafter cited as Nelson

Commission Report]. */ ("The functions, roles, and responsibilities of the elected Board of Education, however, are essentially the same as those of its predecessor appointive Boards.") **/

In both the original 1906 Act and again in the 1968 Elected Board of Education Act, Congress made apparent its belief that the powers and duties imposed on the members of the Board were minimal by the salary it attached to the job. In the 1906 Act, Congress

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*/ The Commission on the Organization of the District of Columbia was created by Congress in September 1970 and charged with determining ways to promote economy, efficiency and improved service in the transaction of public business by the District of Columbia Government. P.L. 91-405 (1970). The Commission was chaired by Congressman Ancher Nelson, and became known as the Nelson Commission.

The Nelson Commission issued a three-volume Report in August 1972, making over 400 specific recommendations. While many of its proposals could have been implemented by the D.C. Government without the need for new legislation, the Nelson Commission called for congressional action in a number of areas.

**/ See also Part II, Hearings on D.C. Government Organization before the Subcomm. on Government Operations of the House Comm. on the District of Columbia, 93d Cong., 1st Sess. 118, 119 (1973) (Testimony of Thomas Fletcher) (the elected school board has "no additional authority

(Footnote continued on following page.)

stated that Board members were to serve without pay. In the 1968 amendments Congress authorized a salary at a rate to be set by the City Council, but in no event to exceed $1200 per year. § 31-101(b)(4).

C. The District of Columbia Self-Government Act

The District of Columbia Self-Government and Government Reorganization Act, P.L. 93-198 (1973) ("Self-Government Act") granted, for the first time since 1874, a substantial measure of home rule to the citizens of the District of Columbia. The Act delegated broad legislative powers to an elected City Council */ and vested the executive power of the City in an elected Mayor. The Self-Government Act defines the basic governmental structure of the District of Columbia in a Charter,

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(Footnote continued from preceding page.)
than they had [as] the appointed Board.") See also Hearings on H.R. 12823 before the House Comm. on the District of Columbia, 92d Cong., 2d Sess. 213 (1972) (Statement of Richard W. Clark).

*/ However, Congress expressly reserved its right to legislate for the District "on any subject, whether within or without the scope of the legislative power granted to the Council by this Act, including legislation to amend or repeal . . . any act passed by the Council." Self-Government Act § 601.

which may be amended only by Act of Congress or by Council action ratified by the vote of a majority of the registered qualified electors of the District voting in a referendum held for that purpose. Self-Government Act § 303.

The Self-Government Act incorporates, as part of the District of Columbia Charter and without substantial change, the language of § 31-101(a) vesting control of the schools in the Board of Education. See Self-Government Act § 495.*/ The virtual identity of the language indicates clearly that no new powers were accorded to the Board of Education by the new legislation. Rather, as the House Report on the Bill provides, "this subsection . . . maintains the status quo with respect to the 11 member elected Board of Education." H.R. Rep. No. 93-482, 93d Cong., 1st Sess. 35 (1973).

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*/ The only difference between D.C. Code § 31-101(a) and § 495 of the Self-Government Act is that one refers to control of "the public schools in the District of Columbia" while the other refers to "the public schools of the District of Columbia."

The sole effect of reenacting the language vesting control of the schools in the Board of Education as part of the Charter is to make the Board part of the basic structure of the city government, which may not be abolished by the Council short of resort to the Charter-amending process.

Notably, the Self-Government bill initially passed by the Senate did not contain a Charter provision dealing with the Board of Education. Had this bill become law, the statute creating an elected Board of Education would have been subject to repeal or modification by the City Council, just as is presently the case with other legislation found in the District of Columbia Code dealing with local matters. Self-Government Act § 717(b). Cf. Part II Hearings on D.C. Government Organization Before the Subcomm. on Government Operations of the House Comm. on the District of Columbia, 93d Cong., 1st Sess. 12 (1973).

Similarly, the initial version of the House bill contained no specific provision for the Board of Education. In part, the failure to include any such provision in the

House bill reflected the fact that a separate House education subcommittee was then considering a possible modification of the powers and functions of the Board of Education. See Background and Legislative History of H.R. 9056, 93d Cong., 2d Sess. at 770-771.*/

Subsequently, it became clear that the education subcommittee would not be able to finish its deliberations prior to House action on the Self-Government Act. Accordingly, Congressman Dellums proposed that a new section be inserted in the bill "simply restat[ing] the language of the 1968 bill that brought the elected school board into existence, and protect[ing] the integrity of that language." Id. at 1130. He further observed that "this provision simply continues the Board of Education unchanged . . . . Leave it as it is at this moment until such time that this body can enact

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*/ This document is as yet unpublished. The citations are to page proofs available in the Committee's offices. It is conceivable that additional proofreading changes and, perhaps, changes in pagination, will occur before publication.

a new piece of legislation clearly directed at the whole issue of the nature of the autonomy of the Board of Education." Id. at 1131. There followed some discussion of whether the Dellums amendment should be limited in time, to give the education subcommittee a deadline by which to complete its deliberations. Congressman Gude, however, objected on the ground that, regardless of the Subcommittee's action, he believed the Board of Education "should have this degree of autonomy." Id. at 1136. Hence, the provision was included without a time limitation and was enacted as § 495 of the Self-Government Act in the same form as proposed by Congressman Dellums.

The effect of the provision was, as noted in the House Report, to preserve the status quo by insuring that the Board of Education could be abolished or changed only by Act of Congress or by amendment of the Charter itself. It did not enhance the Board's powers.

Congress did, however, add to the powers of the Board of Education vis-a-vis the Mayor and the City

Council in a second provision (Self-Government Act § 452) which states that the Mayor and the City Council may increase or decrease the bottom line of the Board of Education's annual budget "but may not specify the purposes for which such funds may be expended or the amount of such funds which may be expended for the various programs . . . ."*/

Prior to enactment of the Self-Government Act, the Board of Education was empowered to prepare an annual school budget. § 31-104. Nonetheless, expenditure of funds for the schools was, by statute, "under the direction and control" of the appointed Mayor and City Council. D.C. Code § 31-103. Despite this statutory language, the Nelson Commission found that in practice the division of budgetary responsibilities between the Board of Education on the one hand and the appointed Mayor and Council on the other was unclear,

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*/ This is the only other substantive provision of the Self-Government Act concerning the Board. While the Board is also mentioned in § 719, that section merely provides that the terms of the Board members are to be preserved.

with the latter officials less informed about the school budget than about budget requests for other departments and less likely to probe the details of the school budget. 2 Nelson Commission Report 397-98. Hence, the line-item control granted to the Board of Education in the Self-Government Act served to legitimize de facto power already exercised by the Board.

Other than in the budgetary area, the powers of the elected Board of Education today are substantially identical to those vested in the first appointed Board of Education under the 1906 Act: "The Board of Education has the responsibility of administering [the school] system in accordance with [the] law" set out in existing legislation, and subject to further directives embodied in future legislation. Mills v. Board of Education, 348 F. Supp. 866, 871 (D.D.C. 1972). As previously noted, this close legislative control over the Board of Education is not unique to the District of Columbia. Similar restraints are imposed on most of the school boards in this country by their state legislatures.

II. The Power of the City Council Over Education

A. In General

In contrast to the Board of Education, the City Council's powers were dramatically enhanced by the Self-Government Act. Sections 404(a) and 302 of that Act delegate to the City Council the full legislative power of the District -- a power which extends "to all rightful subjects of legislation within the District consistent with the Constitution of the United States and the provisions of this Act. . . ." This sweeping language was taken verbatim from a provision of the old Self-Government Act of 1871 (long since repealed) */ which the Supreme Court had held broad enough to delegate to the District of Columbia Council a legislative

*/ The 1871 Act was repealed in 1874 and replaced by the Commissioner form of government, which continued in substantially the same form until the Reorganization of the District government by Executive Order in 1967. See generally Newman & DePuy, Bringing Democracy to the Nation's Last Colony: The District of Columbia Self-Government Act, 24 Am. U. L. Rev. 537, 541-48 (1975) [hereinafter cited as Newman & DePuy].

power "as broad as the police power of a state." District of Columbia v. John R. Thompson Co., 346 U.S. 100, 110 (1953). Section 717(b) of the Self-Government Act confirms the breadth of the legislative grant by explicitly providing that, subject to certain restrictions which do not relate to educational matters, existing laws relating to the District passed by Congress "may be amended or repealed by act or resolution as authorized in this Act . . . ."

The Self-Government Act also grants the City Council explicit authority to create, abolish, or organize any agency in the District and to define the powers, duties and responsibilities of any such office (Self-Government Act § 404(b)). Additionally, the Council has "power to investigate any matter relating to the affairs of the District," and may compel the attendance of witnesses and the production of documents by subpoena (Self-Government Act § 413(a)).

The breadth of the powers given to the Council conforms to the stated purposes of the Act: "to delegate

certain legislative powers to the government of the District of Columbia; . . . and, to the greatest extent possible, consistent with the constitutional mandate, relieve Congress of the burden of legislating upon essentially local District matters." Self-Government Act § 102(a). The powers thus delegated to the Council are considerable, for, in connection with the District of Columbia, "Congress possesse[d] . . . all powers of legislation which may be exercised by a state in dealing with its affairs . . . ." Atlantic Cleaners & Dyers, Inc. v. United States, 286 U.S. 427, 435 (1932); Berman v. Parker, 348 U.S. 26, 31 (1954). Indeed, even prior to the Self-Government Act, it had been acknowledged that "in many respects the District is more akin to a state than a municipality," Firemen's Insurance Co. v. Washington, 483 F.2d 1323, 1328 (D.C. Cir. 1973). Hence all powers usually exercised by a state legislature, with certain explicit reservations not here relevant (Self-Government Act § 602), have been transferred to the City Council.

It is apparent that if the congressional purpose of relieving Congress "to the greatest extent possible" of the burden of legislating on essentially local matters is to be realized, the City Council must undertake the full legislative role previously assumed by Congress in all relevant areas, including educational matters.

B. The Scope of the City Council's Power Over Education

1. The Lack of General Limitation on the Power

As set out above, the Self-Government Act gives to the Council legislative powers in all areas, including education, that are coextensive with the powers generally exercised by state legislatures and, in the case of the District of Columbia, previously exercised by Congress. However, as previously discussed, Section 495, a seemingly broad provision, states:

> The control of the public schools in the District of Columbia is vested in a Board of Education to consist of eleven elected members . . . .

We are aware that it might be contended that this provision, vesting "control" of the schools in the Board of Education, precludes any action by the Council which would constitute an exercise of "control" over the schools. We do not agree.*/ First, as noted above at pp. 12 - 15, § 495 merely incorporates in the Charter the language of the 1968 Elected Board of Education Act, which was taken, in turn, from the original Act of 1906, creating the Board. The purpose of § 495 was, as the House Report states, to preserve the status quo, and not to grant the Board any new powers.

The Board of Education has been vested with "control" of the schools of the District of Columbia

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*/ Our opinion on this issue is consistent with that of the leading commentators on the Self-Government Act. Newman & DePuy, Bringing Democracy to the Nation's Last Colony: The District of Columbia Self-Government Act, 24 Am. U.L. Rev. 537, 586 (1975) ("The Council would be able to exercise full legislative authority over the educational system under section 302, the general legislative grant, but would be prohibited from abolishing the Board.").

since 1906. Yet, Congress gave the Board detailed legislative guidelines on how it was to run the schools in the very Act creating the Board, and added many additional provisions, of both a specific and general nature, in later years. Thus, the Board's power to "control" the schools has never been considered by Congress to be inconsistent with close legislative supervision.*/ Rather, the Board's "control" of the schools has been interpreted as the power to administer the schools within the mandates of existing legislation and subject to further legislative changes. (See pp. 3 - 8, supra.) Accordingly, there is nothing in § 495

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*/ On the other hand, it is clear that Congress did not consider its legislation on educational matters to be a pro tanto repeal of the Board's power of control over the schools, for it reenacted the "control" language in the 1968 Elected Board of Education Act, after enacting a whole variety of legislation on educational matters. Nonetheless, Congress continued to legislate on educational matters after passage of the 1968 Act, and, indeed, after passage of the Self-Government Act. See, e.g., § 31-121 (Supp. II 1972) (education of pages); § 31-725(e) (Supp. II 1975) (annuities for teachers); § 31-1119 (Supp. II 1975) (driver education program); § 31-1120 (Supp. II 1975) (transportation of handicapped children); and § 31-1801 (Supp. II 1975) (interstate agreement on the qualification of educational personnel).

of the Self-Government Act inconsistent with the Council exercising an active legislative role in educational matters of the sort previously undertaken by the Congress.

Second, a reading of § 495 to bar Council action in the area of education would be inconsistent with the express purpose of § 495 to "maintain the status quo" as to the Board of Education's powers. H. R. Rep. No. 93-482 at 35. Congress has, by the Self-Government Act, announced its wish to avoid deliberating on local matters. If the Council were unable to assume the legislative role in educational matters previously filled by Congress, the practical result would be a vacuum of legislative power and a concomitant increase in the de facto power of the Board. What was conceived of as a part-time Board of Education, and compensated as such, would now -- unlike school boards in the rest of the country -- be free of effective legislative oversight. It is inconceivable that Congress intended to work such a sweeping change by a provision which it stated would merely preserve the status quo.

2. The Need for Legislative Revision

There can be little doubt that Title 31 of the District of Columbia Code is badly in need of revision and codification. It contains a conglomeration of statutes enacted by Congress over the years. A number of its provisions appear to be so specific as to interfere with the discretion which principles of good administration would lodge in the Superintendent and the Board of Education. For example, it would appear desirable for the Board of Education to be free to organize the teachers at Eastern High School into fewer or greater than eight departments, without an apparent violation of statute (§ 31-112), and to be free of statutory restraints on the time when the entrances to school buildings shall be unlocked (§ 31-812).

Moreover, Title 31 abounds with references to the segregated school system which once existed in this city. See, e.g., §§ 31-110, -115, -1109 et seq. The continuation of this language in the Code, where it has

the apparent force of law, is patently offensive to the vast majority of the District's citizens, black and white.

In addition to the provisions discussed above which probably should be repealed outright, Title 31 contains provisions which are, or may in the future be, in need of amendment. For example, there would seem to be a general consensus within the community that the provisions of § 31-108, "Removal of Superintendent," have proven to be inadequate in practice. Conversely, the entry qualifications of teachers and other educational personnel defined by statute may need modification § 31-1511 (Supp. II 1975).

An example of an existing legislative void was recently presented in conjunction with proceedings to remove the former Superintendent from office. At one stage in those proceedings, there was discussion of the feasibility of the Superintendent's voluntarily resigning in return for a commitment by the Board to pay all or a portion of the salary called for under her contract.

The Board of Education believed itself unable to undertake the settlement without legislative authorization. All parties, involved, including Corporation Counsel and counsel for the House District Committee, concurred in the position that the City Council had the power to enact the necessary authorizing legislation.

Indeed, in several educational areas, Council action is either required by or implicit in the statutory scheme. Self-Government Act § 422(3) requires the City Council to enact a new District personnel system by 1980. That personnel plan, as recommended by the Nelson Commission, would include the noneducational employees of the Board of Education, and may require a uniform system of administration for all District employees, regardless of their jobs. 2 Nelson Commission Report 640-641.

Another area in which new legislation will be required in the future is the rate of pay of teachers and other educational personnel. The current pay scale was created by Act of Congress, and is codified at

§ 31-1501 (Supp. II 1975). It cannot be changed except by superseding legislation. Congress clearly intended for the Council to take the leading role on the issue of all future pay increases, for it required the Board of Education to submit to the Mayor and City Council information on the change in the cost of living and a comparison of the rates of pay of teachers in the District and in other cities. § 31-1501a (Supp. II 1975).

Matters of the sort discussed above would appear to be precisely those which Congress intended to include in its delegation to the City Council of legislative powers extending "to all rightful subjects of legislation within the District" (Self-Government Act § 302). We find it inconceivable that a Congress which delegated legislative powers in the broadest terms to avoid the necessity for passing on such things as the legality of kite-flying on the Mall (P.L. 91-358, § 802 (1970)) expected that it would still have to recodify Title 31 to remove references to segregated schools or to consider the hours the doors of the schools in the District of

Columbia should be unlocked. The overriding purpose of the Act -- to save Congress the burden of legislating on local matters -- compels the conclusion that the legislative power over education generally exercised by state legislatures vis-a-vis school boards and which in the case of the District of Columbia had been exercised by Congress, has been transferred in full to the City Council. The Council has the authority to repeal legislation which is unnecessary or offensive; to amend legislation which is unworkable or which no longer responds to the educational needs of the community; and to enact new legislation of the same general nature as previously passed by Congress. Included in the Council's power is the authority to legislate on matters of general educational policy of the sort reflected in prior congressional action such as that requiring the Board to implement special programs for handicapped students (§ 31-203). */

*/ Mills v. Board of Education, 348 F. Supp. 866 (D.D.C. 1972).

Our view that the Council has succeeded to the legislative power previously exercised by Congress in educational matters does not leave the "control" provision of § 495 without meaning. That section's intended purpose and effect was, as described above (at pp. 12 - 15), to preserve the Board of Education as an administrative instrumentality of the District of Columbia government and to insulate it from repeal by ordinary legislative action.

C. The City Council's Power Over the School Budget

As previously noted, § 452 of the Self-Government Act gives the Council the authority, subject to congressional review, to establish the total amount of funds which will be allocated to the Board of Education, but deprives the Council of the power to specify the purposes for which such funds may be expended or the amount of funds which may be spent on any particular program. For the reasons set forth below, we believe this provision does not bar careful Council scrutiny of the Board of

Education's operating budget on a line-by-line basis, and does not apply to the Board's capital budget.

1. Council Scrutiny of the Operating Budget

Section 452 of the Self-Government Act is based on the Report of the Nelson Commission.*/ The Report makes clear that the Commission's recommendation that the Board of Education be given final line-item budget authority was not intended to suggest that the City Council abdicate its responsibility to keep informed as to school affairs in general or the details of the school budget in particular. Rather, the Report urges that members of the "Council must involve themselves in much greater depth in reviewing and analyzing the elements that make up the Board of Education budget before [they] arrive at their judgments as to the total amount to be allowed for the schools." Id. at 383. The Nelson Commission Report stated that such involvement was imperative so that the City Council could make an informed

*/ 2 Nelson Commission Report 399-401.

decision in allocating funds between the schools and other city programs. See also S. Rep. No. 93-219, 93d Cong., 1st Sess. 8 (1973). (The Council should "have the responsibility for determining the general allocation of resources to meet the various needs of the District.") Hence, the City Council not only has the power to involve itself in detail in the expenditure of funds for schools, but it was the intent of Congress that it do so.

In examining the Board of Education's operating budget, the Council may seek the assistance of the District of Columbia Auditor. The Auditor is authorized by § 455 of the Self-Government Act to "conduct a thorough audit of the accounts and operations of the government of the District," and may have access to all documents "belonging to or in use by any department, agency, or other instrumentality of the District government necessary to his work." In our view, this language authorizes the Auditor to review the school budget.

rather than by the Board of Education; that school nurses are under the Department of Human Resources; and that certain security functions for the schools are carried out by the Metropolitan Police Department. It is within the reorganization power of the City Council to transfer functions of this sort -- which are arguably within the jurisdiction of both the Board of Education and another District agency -- to the Board or to transfer additional functions of the same sort from the Board to other District agencies.

E. The Power of the City Council Over the Salaries of Board of Education Members and the Election of Members of the Board of Education

The salary of the Board of Education members is, by statute, fixed at a rate to be set by the City Council but not to exceed $1200 per year. § 31-101(b)(4). The City Council may, of course, exercise its power under this provision. In addition, the Council has the power to amend § 31-101 to allow higher salaries for Board of Education members should that be thought appropriate or necessary to attract qualified candidates.

Similarly, the City Council may exercise its authority "to enact any act or resolution with respect to matters involving or relating to elections in the District" (Self-Government Act § 752) to change the date or other incidents of election to the Board of Education not otherwise specified as part of the Charter by § 495 of the Self-Government Act.

F. The Council's Authority to Delegate Powers

A survey by The National School Boards Association of 51 large city school districts indicates that 37, or approximately 70%, were fiscally independent of local governments in the period 1973-1974. */ Congress has had under consideration for some time the question of whether or not to grant a degree of fiscal autonomy to the District of Columbia Board of Education. We do not address here the wisdom of such an idea. We would note,

*/ The National School Boards Association, Survey of Public Education in the Nation's Big City School Districts 9 (March 1975).

however, that should the Council believe this desirable, it need not await congressional action. Rather, under the broad legislative powers granted to it, the Council could delegate part of its taxing powers to the Board of Education. Similar delegations of taxing powers by state legislatures to independent school districts are common and have been sustained. San Antonio School District v. Rodriguez, 411 U.S. 1, 7 (1973); Moore v. School District of Pittsburgh, 338 Pa. 466, 13 A.2d 29 (1940); Berkeley Unified School District v. City of Berkeley, 141 Cal. App.2d 841, 297 P.2d 710 (1956). See also 16 E. McQuillin, The Law of Municipal Corporations § 40.07 (3d Edition 1972 Rev.); Newman & DePuy, supra, 24 Am U. L. Rev. at 638-43.

III. Conclusion

The Self-Government Act expanded the powers of the Board of Education in only one respect -- by giving it the final authority over line items in the school system's operating budget. In contrast, the powers of the City Council were greatly expanded. The Act

delegated to the Council the ample and frequently exercised legislative powers over education previously held by Congress. With the exception of the power to abolish the Board of Education and to control line-item expenditure in the annual budget, the Council may exercise the same authority over the schools, both in matters of administration and in setting general guidelines for educational policy within which the Board must operate, as had been exercised previously by Congress.

Sincerely,

ARNOLD & PORTER

By _____
James A. Dobkin

_____
Kenneth A. Letzler

March 11, 1976

Energy Reporter Registration
Federal Energy Administration
Office of Communications and Public Affairs
Washington, D.C. 20461

Dear Registrar:

Would you please add to the Mailing List of the "Energy Reporter" the members of the Council of the District of Columbia, City Hall, 14th and E Streets, N.W., Washington, D.C. 20004:

Honorable Sterling Tucker,Chairman
Honorable Douglas E. Moore, Chairman Pro Tempore
Honorable Marion Barry, At Large
Honorable Julius W. Hobson, At Large
Honorable Jerry A. Moore, Jr., At Large
Honorable David A. Clarke, Ward 1
Honorable John A. Wilson, Ward 2
Honorable Polly Shackleton, Ward 3
Honorable Arrington Dixon, Ward 4
Honorable William Spaulding, Ward 5
Honorable Nadine Winter, Ward 6
Honorable Willie Hardy, Ward 7
Honorable James E. Coates, Ward 8

Thank you.

Sincerely,

Julius W. Hobson
Councilman at Large

Energy Reporter

Federal Energy Administration Citizen Newsletter

February 1976

The New Energy Law

Since the 1973-74 oil embargo, some 2,600 energy bills have been introduced in Congress, involving 89 committees and subcommittees, including the President's plan for a national energy policy proposed last January. Out of the legislative process emerged a sweeping energy bill, now law—the Energy Policy and Conservation Act (Public Law 94-163).

The act contains a number of provisions such as mandatory energy efficiency labeling of appliances and standards for improving auto fuel efficiency over the next 5 years.

Reactions to different parts of the new law vary. Some of the act's features, such as the section calling for a strategic petroleum reserve of up to a billion barrels of oil to cushion the blow of any future embargo, have been widely praised. On the other hand, the temporary lowering of oil prices enjoyed, at best, a mixed reception by consumers and industry.

The Wall Street Jouranal, for example, says the legislation "won't really stick motorists and homeowners with steeply higher fuel bills or tough Government energy conservation decrees." **Energy Reporter** asked FEA chief Frank Zarb about the new law:

Q. Mr. Zarb, is the new law consistent with America's energy independence goals?
A. "Well, this act is less that I would have liked with respect to oil prices, but it does provide authority to gradually decontrol oil prices over 40 months. Also, the legislation encompasses much of the President's major proposals, such as one giving FEA authority to force utilities and industrial plants to convert from oil and gas to coal,

Continued on next page

Women In Energy

"The job is interesting, I like outside work, and the money sure beats what I used to get driving a truck." Actually, Molly Jean Ritter's job (see photo) in California's oilfields started out as a joke. One afternoon, while making deliveries to oil firms as part of her truck driving job, she filled out a work application—in jest. But when the current shortage of drilling crews hit, Mobil Oil decided to give her a call. Fellow workers now accept her as part of the crew that repairs pipe and water lines, washes generators, and works the production rig. Last month, Ritter was promoted from "roustabout" to "well puller." As for the dirt: "It all washes off."

Extra. Oil Daily's December 22, 1975 issue features an exclusive look at "Women in Energy." A limited number of free copies are available to **Energy Reporter** readers by writing Editorial Office, 320 Campus Drive, Somerset, New Jersey 00873.

Vietnamese Oil—What Now?

Before the Saigon government fell, Western oil companies were negotiating for rights to locate and develop oil and gas fields in the South China Sea. After more than a year, the fate of that petroleum remains very much undecided.

A major east coast newspaper recently reported Exxon had contacted Hanoi about resuming the search for oil. Company spokesmen in New York deny the story, and State Department officials in Washington tell us that oilmen are carefully observing a U.S. embargo which prohibits transactions between our companies and the new Vietnamese regime.

Meanwhile, French and Japanese firms, also interested in Vietnamese oil before Saigon fell, are reportedly contacting Hanoi about possible oil deals. Senator Mark Hatfield is seeking to lift the U.S. ban.

Energy Act Hotline

To implement the new Energy Policy and Conversation Act, a number of supporting regulations are being proposed for review by the public, including businessmen, State and local government officials, and public interest groups. To assist these persons and to answer their questions, FEA has created a temporary information office. Ed Vilade, Public Affairs, heads the task force. Call from 8:00 a.m. to 5:00 p.m. (e.s.t.) (202) 961-8614/5/6.

To subscribe, please complete coupon on last page. Editors may reprint any article, credit appreciated.

The New Energy Law...*(Continued)*

which we have in ample supply for several hundred years."

Q. What will this bill mean to consumers?
A. "The pricing provision lowers the average price of all crude oil refined in the United States by about 2-1/2 cents per gallon. Because of marketing and regulatory factors, the short-term effect on actual prices paid for gasoline will probably be 1 cent or less per gallon."

Q. A recent editorial in the **Philadelphia Inquirer** said the law is "better than nothing" ...but cannot get [us] out of the clutches of [the producers']... power to arbitrarily increase fuel prices." Does President Ford have the flexibility to raise prices enough to insure U.S. oil exploration will be a worthwhile investment?

A. "Yes, it provides enough incentive for maximum oil production. Starting in March, and every month thereafter, the crude oil price will be adjusted upward to reflect inflation increases and production incentives. The price can rise as high as 10 percent a year. Necessary increases over and above the 10-percent limit can be made at 90 day intervals—if not disapproved by Congress."

Energy From Waste

Massachusetts Governor Michael Dukakis recently told officials and citizens attending a special Boston workshop that energy recovery from solid waste is a "do-able, demonstrably sensible" technology. Five planned recovery plants in Massachusetts could be supplying 7 to 10 percent of the Commonwealth's energy needs by 1980, he predicted. Arthur Purcell of the Technical Information Project organized this meeting and a similar one scheduled for March 15-16 in New Orleans. Call (202) 466-2954.

energy tips 1

Better to turn off your engine while briefly waiting for someone than to let it idle. A V-8 burns 1.6 ounces idling, but only half an ounce of gasoline is needed to restart. (From Ford Motor Company.)

Germans Use Less

A recent FEA study of per capita energy use suggests West German consumers use only two-thirds as much energy as Americans (differences in per capita national income are considered). In transportation, Germans use only one-fourth the fuel we do; for home heating, half; and for other residential uses, including small appliances and hot water heating, a quarter as much. According to FEA's report, prepared by Stanford Research Institute, U.S. industry uses at least 40 percent more energy per unit of production.

"The large disparity in energy uses between these economically similar countries," says FEA analyst, Jeffrey Milstein, "suggests it is possible for the United States to substantially reduce the ratio of energy use to national income, without cutting living standards or economic growth." A limited number of free summaries are available from FEA, Room 6438, Washington, D.C. 20461. For the full study, write NTIS, Springfield, Va. 22151; number PB 245-652-AS; $5.25.

Energy Scoop

November oil use down—Demand for all petroleum products in the 4 weeks ending December 26 fell more than 4 percent below that of the same period in 1974 and was half a percent above the same period in 1973. But, motor gasoline use increased 3 percent over 1974 levels.

Renting Service Stations—The Temporary Emergency Court of Appeals says FEA lacks authority to regulate rents charged to service station operators. The decision came in FEA's appeal of a ruling issued by a District Court in Houston involving Shell Oil.

Action may still be taken, however, to prohibit rent increases which are, in fact, designed to circumvent FEA's pricing regulations. FEA is designing guidelines for this purpose.

Coal Rush—To spur mining development on Government-owned lands, the Department of Interior has proposed that leaseholders be required to start producing from one or more of their Federal leases within 10 years after they receive the lease (or after the effective date of the new regulations). At least 1 percent of total reserves must be mined every year.

Oil Profits Drop—Oil company profits continued to decline in the second half of 1975. One assessment of the decline is provided in a new report from Chase Manhattan Bank. According to this study, in the third quarter of last year, 29 companies suffered a $3 billion, or 30 percent, drop in profits since 1974.

Florida Fails Offshore Test

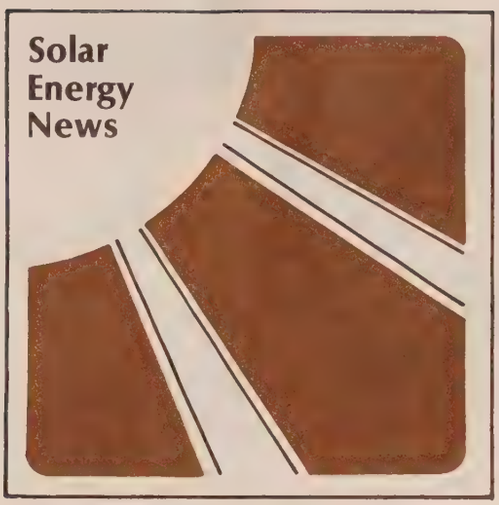
Last June, **Energy Reporter** featured a story about the last ditch effort to locate oil on expensive new properties oilmen had leased 40 miles off the Florida coast. The memory of many gushers discovered near Louisiana's shores in the 1960's excited wildcatters into paying record high prices this time. Over $212 million was laid out by an Exxon partnership to lease just one of the 32 tracts offered by the Interior Department.

The dream kept firms drilling after nearly a score of "dusters" and sustained protest from environmental groups opposed to the drilling. Their dream now appears to have failed.

Oil Daily, an industry newspaper, recently reported that Gulf Oil, the sole remaining operator by the end of 1975, has suspended drilling operations after encountering another—and final—dry hole.

energy tips 2

Use the pilot light on your gas stove top to keep water warm, melt butter, or keep sauces hot. When tea kettles are kept on the pilot, the water boils more quickly when put on a burner.



New Mexicans Examine Solar Cells

Sandia Laboratories in Albuquerque will manage a portion of the Energy Research and Development Administration's National Photovoltaic Conversion Program.

The staff will try to lower the cost of solar cells, which turn sunlight directly into electricity. Other goals include making the units more efficient. Today's cells can use less than 20 percent of the sun's light.

ERDA hopes that solar cells will rival conventional peakload electric generators by 1985. Sandia says today's photovoltaic systems make electricity for about $20,000 per peak kilowatt. That figure should drop to less than $500 over the next decade.

Other recepients of ERDA program funding are Jet Propulsion Labs, in Pasadena, California, and NASA's Lewis Research Center in Cleveland. For more information, contact Sandia's Public Information Division, Albuquerque, New Mexico 87115.

Should Utilities Shed Solar?

If homeowners in 1985 get electricity from solar units on their rooftops, then will they need electricity from utilities? And what costs are involved if you don't supplement your solar electric system with a hookup from the utility? Energy experts Lawrence Rocks and Richard Runyon addressed these questions in Boston's **Herald American.** Runyon says a home-owner will lose money if he buys so many units that he needs no electricity from his utility.

The correct approach, according to the authors, is to have your system "married" to the utility. This half-utility, half-homegrown electric supply relies on storage batteries in the house. They store electricity created by solar photovoltaic arrays over the house and can also be fed by by a utility at times when demand for electricity by other customers is low (for example, late at night). Your home system is always fully charged, either by the sun on bright days or by the utility at night.

Generation costs for utilities drop when they do not have to activate reserve generators to meet demand at peak-use hours. Therefore, double savings may appear in the forms of lower monthly bills from the elecrtic company and in a less painful pricetag for your solar system because extra arrays to insure reliable power without any utility hookup would not be needed.

Builders View Solar Mobile Home

Some operators of new mobile home parks are unable to get natural gas hookups. Government and private researchers may have one solution: a solar-powered mobile home. Last month, a 60-foot mobile home equipped with 19 solar collectors was shown at the National Mobile Home Show in Louisville, Kentucky (see photo).

The black panels collect 80 percent of the heating and air-conditioning energy, plus 95 percent of the hot water needed in the Philadelphia/Washington climatic zone. These collectors trap heat beneath double sheets of clear plastic, then transfer it to water to be used in heating and absorption-type cooling systems. Extra insulation and necessary solar equipment is hidden under floors and in one closet; builders like this feature—it save precious floor space for living quarters. The prototype cost $341,000 to design, build, and test. Write M. McCarvill, 1 Belmont Avenue, Bala Cynwyd, Pennsylvania 19004.

South Africa Recaptures Rays

After a 15 year-lull, solar energy research is once again coming alive in South Africa.

Problems—The nation currently gets all of its domestic petroleum from a single coal-to-oil facility called "Sasol," located in a coal mining region 80 miles south of Johannesburg. The plant is operating at full capacity and a supplementary unit will not be ready until 1982. Its electric generation and distribution capacity is swamped by a growing demand for power in new homes or for use in villages presently using subsistence fuels. Meanwhile, the burning of highly volatile, raw bituminous coal in millions of Bantu homes is creating severe air pollution.

Solar Response—Dr. John I. Yellott, Arizona State University, recently visited solar research offices in Pretoria. He tells **Energy Reporter** the National Building Research Institute is waging a serious campaign to develop and install low-cost solar water heaters in residences. The roof of the NBRI building has become a major testing area for dozens of commercially available heaters from all parts of the world.

Will Cawood, program director, says the nation's unique challenge is to find a collector able to withstand the deteriorating affects of South Africa's intense and ultra-violet-rich sunshine. A report on their research, "Solar Water Heating in South Africa." is available by writing Cawood at the NBRI in Pretoria. Ask for CSIR Research Report 248.

Calendar

February 17-19
Western Electrical Seminar Trade Show
San Francisco Civic Auditorium
Ray Gilmartin, WEST/76
6055 East Washington Blvd., Suite 633
Los Angeles, California 90040

February 22-26
American Institute of Mining, Metallurgical and Petroleum Engineers, Annual Meeting
Las Vegas, Nevada
Frederick C. Motts
345 E. 47th Street
New York, New York 10017

Citizen Leader Training Institute on Energy Conservation—sponsored by FEA
Contact Clem Rastatter, Conservation Foundation, 1717 Massachusetts Ave., NW. Washington, D.C. 20036

Feb. 12-15—Portland; Feb. 19-22—San Diego; March 4-7—San Antonio; March 4-7—Atlanta; March 11-13—New York City; March 11-14—Estes Park, Colo.; March 17-20—Itasca, Ill.; March 24-27—Boston; March 25-27—Kansas City

Energy Plus Environment

Yankee oil from New England's Outer Continental Shelf could be flowing to consumers by the mid-1980's. One million acres were recently selected for possible leasing by the Interior Department. Oil and gas reserves cannot be confirmed until drilling takes place. Small energy companies expressed interest in close to 11 million acres. The Government narrowed the area through routine tract selection process and environmental considerations. The Atlantic tract sale could take place this October.

Refinery pollution—The environmental records of 61 refineries operated by the 8 largest U.S. oil companies have been evaluated in a study by the Council on Economic Priorities (CEP). The report may be obtained from CEP, 84 Fifth Avenue, New York, New York 10011. Prices: $140 for commercial firms; $45 for non-profit groups.

Want to build a deepwater port? The Office of Deepwater Ports in the Department of Transportation is now receiving applications for licenses, and two are already in. Applicants had to send a check for $100,000 and 30,000 pounds of data. The Department of Transportation procedures are designed to minimize environmental damage. Guidelines cover topics such as port owner's cleanup capability and required oil spill prevention measures. See **Federal Register**, November 10, 1975.

Energy Calendar's New Distributor

"Family energy watch" calendars, mentioned in the January issue, are now out of supply at the location given. Send 75 cents to Oregon Department of Energy, 528 Cottage Street , NE., Salem, Oregon 97310.

The Smith Family

After January's cold spell, Mr. and Mrs. Smith decided earlier efforts to weatherize their house were not enough. They had checked and leveled loose fiber insulation in the attic, weatherstripped leaks around doors and windows, had their furnace serviced, and lowered the thermostat to 68 degrees daytime, 60 at night. Now, they checked for wall insulation. They turned off their master circuit breaker, removed the face plate of an electric wall plug, and peeked inside with a flashlight. Finding no insulation, they bought two booklets for guidance: **In the Bank or Up the Chimney** and **Making the Most of Your Energy Dollars.**

The Smiths decided the best method for their home was to have cellulose insulation blown in between exterior siding and sheetrock. To install blown insulation, such as mineral fiber, cellulose fiber, and ureaformaldehyde foam, only one or two holes are drilled between the studs. An average price for doing their 30- by 40-foot home, with 1,120 square feet of outside walls, was $500. The Smiths expect to save about $65 a year on 40-cent a gallon fuel oil, recouping the initial investment (through fuel savings) in 8 years.

In the Bank or Up the Chimney; Number 023-000-00297-3; Government Printing Office, Washington, D.C. 20402; $1.70. **Making the Most of Your Energy Dollars**; Consumer Information; Pueblo, Colorado 81009; 70 cents.

John Muller, FEA's real-life Mr. Smith, has moved from the Energy Conservation Office to emergency energy planning. His expertise and assistance will be missed by **Energy Reporter**—we wish him the best in his new work.

Michigan Oil Shale Bonanza

A huge deposit of Devonian oil shale under Michigan contains at least 2 1/2 trillion barrels of oil—"about 60 times the entire crude oil reserves of the Nation," according to a 1975 report by Dow Chemical. If just 10 percent of the Antrim Formation could be tapped, the report indicates Michigan would achieve energy independence for the next 100 years. The State now imports about 95 percent of the fuel its consumers and industry demand.

The development would also free the equivalent of nearly 1 million barrels of oil a day for use elsewhere. President Ford would like to see foreign imports cut by that much.

Processes to get oil from Devonian shale presently use almost as much energy as is produced. ERDA is researching this problem. Press may call Jim Hansen, Dow Chemical—(202) 296-1915.

Minority News

Spanish Speaking—Celebrities Rita Moreno, Ricardo Montalban, Vikki Carr, Celia Cruz, and Andy Russell are helping FEA spread the word on energy conservation to 16 million Spanish-speaking Americans. The entertainers recorded eight public service announcements and FEA's Hector Mimiaga is distributing the disk to Spanish-language radio stations.

Blacks—Floyd Collins, a black businessman, is now directing FEA's Office of Small Business. He evaluates the impact of energy policies on small and minority businesses. He also designs programs involving energy use by small companies.

If you are a minority business person in the New York area, Con Edison has established a vendor program which might be able to use your goods or services. Director Betty Dent—(212) 460-3076—says their policy is to boost the number of job contracts going to minorities. Last year such purchases exceeded $2 million. Smaller firms are given a chance to handle portions of orders.

Energy At The Grassroots

Oklahoma—A proposed energy center at Camp Gruber near Muskogee, Oklahoma, is outlined in a brandnew, three-volume study by FEA and the Battelle Memorial Institute. For a free executive summary, number G-75/384R, write Publications Distribution, FEA, Washington, D.C. 20461.

New York—Nassau County has established an Energy Information Exchange for its 3 towns, 2 cities, and 64 villages. The Bureau acts as a clearing house for data on energy prices, use, and problems. For more information contact Regional Public Affairs Officer Frank Farese—(212) 264-0560.

Maryland—The State Energy Policy Office is now providing free energy audits for companies and hospitals in Maryland. Officials help plant managers estimate energy use and evaluate conservation techniques. Write John McGucken, EPO, 219 West Hoffman Street, Baltimore, Maryland 21201.

The White House—The President's Energy Resources Council has created an Intergovernmental Coordinating Committee. The new group will work with States, local governments, and their regional and national associations as new energy policies are drawn up in Washington. Coal development will be reviewed by 5 subcommittees of Federal experts working directly with counterpart groups in the States. William Geimer, FEA, Washington, D.C. 20461, heads the committee.

Hawaii—The Department of Planning and Economic Development has initiated an energy awareness drive. It includes a pamphlet, a report on alternative energy sources for Hawaii, and a special energy issue of the agency's newsletter. For copies, write Eugene Grabbe, P.O. Box 2359, Honolulu, Hawaii 96804.

energy tips 3

If your washing machine has a "suds saver" button, use it. It saves energy by allowing you to use one tubful of hot water for several loads.

Energy And Education

Mining Schools Need Help—In a speech to the American Mining Congress, John Welles of the Colorado School of Mines reports the outlook for our Nation's mining schools is not rosy. Despite shortages of mining engineers and growing student interest, financial problems are plaguing these schools. Welles says Government subsidies are declining and suggests the needed funds must come from industry. He singled out inadequate research and development classes as a prime example of the schools' difficulties.

Shop Class—At Florida State University the industrial arts technology section recently turned out a solar energy collector that can track the movement of the sun. It was a student project in a research and development shop class. The December issue of **School Shop** discusses how shop class teachers can acquaint student with solar energy. Write the magazine at Box 623, 416 Long Shore Drive, Ann Arbor, Michigan 48105. $1.25 a copy.

Buildings Win Contests

In two separate programs, FEA's San Francisco office and Owens-Corning Fiberglas recognized outstanding efforts in energy conservation. Building design and management figured prominently in both contests.

In Los Angeles, 122 Merit and Excellence Awards were given to commercial and industrial managers. A special award went to 101 branches of the United California Bank for cutting energy use at least 32 percent, saving over 8,500 barrels of oil last year. Regional FEA chief Bill Arntz says savings by all winners total the equivalent of 96, 145 barrels of oil a year.

Wilton, Maine's solar-powered wastewater treatment plant won a prestigious Owens-Corning energy award (see photo). Solar collectors provide most of the plant's energy; methane gas produced in the waste disposal unit supplements power on cloudy days. The plant will save $4,469 annually in energy bills and was created by Douglas Wilke, Glen Head, New York, and Wright, Pierce, Barnes, Wymean Engineers, Topsham, Maine.

COMMENT

Will Consumers Benefit From Higher Prices For "Old" Natural Gas?

While Congress considers deregulating natural gas prices, a separate decision on gas prices is being made at the Federal Power Commission (FPC). Many supply contracts, drawn up before the gas shortfall, set prices below those paid for less desirable fuels. Commission Opinion 749 would permit renegotiating older contracts and raising the price to a maximum 29-1/2 cents per thousand cubic feet (Mcf) and a minimum 18 cents for "old" gas (from wells commenced before January 1, 1973).

About 30 percent of the total cost increase will be paid by residential users, the rest by industry. FPC notes the new prices are the "lowest possible rates" that will produce enough gas to satisfy consumer demand.

Editor

YES: Alvin Askew, Texas Governor Dolph Briscoe's Energy Advisory Council

The recent action by the Federal Power Commission allowing flowing gas prices to rise will benefit consumers in the long run. Until prices are properly decontrolled, limited actions, like FPC's pricing opinion, can help by generating the capital needed to seek out new supplies. It will also make extracting additional gas from existing fields a better investment. While I support this minuscule price increase, it falls far short of solving our present shortages.

America's interstate pipelines have experienced increasingly severe shortages for several years. And still, some claim FPC's new pricing action is nothing more than a "consumer rip-off." I believe consumers are best served when market prices help stimulate additional production and make new energy sources feasible.

It is also charged that additional capital only "bids up" prices for, and creates shortages of, items such as drilling rigs. The truth is, this is the very process by which increased drilling equipment becomes available. It is necessary to bid up prices and reflect shortages to get additional rigs manufactured.

Will additional gas, produced under the new pricing, reach interstate markets? Or will it stay in the States where the wellheads are located? It is true that 20 years of Federal price fixing of interstate gas supplies have resulted in much of our new gas staying "intrastate." But, new gas will reach interstate markets—in fact, all gas flowing from workovers in old fields goes interstate. Also, "new" gas located near

Continued on column 3

NO: by Peter Schuck, Consumers Union of the United States

This ruling is not only bad for consumers, it is bad for the free enterprise system. It relieves producers of the consequences of contracts into which they entered voluntarily and after fully calculating their costs, risks, and profit opportunities. Increasing the rate for flowing, "old" gas will create enormous windfall profits to producers. And it will do so without the slightest assurance that a single additional Mcf of gas will, in fact, flow into consuming-State markets.

In truth, there is not the slightest assurance that the proceeds of this windfall, subsidized by consumers of interstate gas, would not be distributed to corporate stockholders, invested in assets having nothing whatever to do with oil and gas production (such as Mobil Oil Corporation's acquisition of Marcor), and/or plowed into the production of gas for the intrastate market or, indeed, some international market.

But, for the sake of argument, let's assume the FPC proposal can be regarded as an additional incentive for production activity. I would then ask if it will be any more effective than existing incentives in eliciting substantial additional, incremental supplies of gas. Because drilling efforts are already so intense, severe shortages of tubular steel, drilling rigs, and crews already discourage investment in the more risky prospects. Under such circumstances, one can hardly expect producers to use the additional revenues derived from the FPC opinion to buy productive equipment which will not be available in the foreseeable future. For

Continued on next column

For...*(Continued)*

existing interstate lines will likely go to consuming States; if found near intrastate lines, it will probably be sold intrastate.

The alternative to the new pricing is increasingly severe shortages and dependence on foreign supplies. The tiny price increase under the new FPC opinion is a step in the right direction.

No...*(Continued)*

these reasons, the new higher prices constitute a pure transfer of wealth from consumers.

As for the 18-cent minimum rate, producers who entered long-term contracts at rates below that level should not be relieved of the consequences of their entrepreneurial judgments.

Energy Reporter

Editor—David Turner

Contributing to this issue—Ed Koenig, Judy Kennedy (Women), Dave Whedon (Smith Family), Chuck Snowdon (Underview), Margaret Sibley (Publications), Cheryl Skuhr (Film), Tom Sakowski, Jackie Buckingham, Kitty Vanzant, John Waring, Frank Farese, Eugene Grabbe, Ernie Dreher, Harry Dotson, Derry Allen, and Nate Finch

Submit material and comments to:

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Washington, D.C. 20461

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Opionions expressed in "Comment" do not necessarily reflect those of **Energy Reporter**

Publications

Energy Reporter has compiled a list of publications and other educational material on energy available from various sources. Please order direct from address. To have your report, pamphlet or other published material listed on this page send one copy to Margaret Sibley, Publications Editor, **Energy Reporter**, FEA, Washington, D.C. 20461.

Book Of The Month

Energy For Survival: The Alternative to Extinction, By Wilson Clark, 652 pages.

Rising utility bills and fuel shortages have constantly reminded Americans of the intertwining role energy plays in our society. A fresh approach to understanding our energy future has been presented by Wilson Clark in his book, **Energy For Survival.** This massive research book delves into a variety of energy issues at length. The book begins by tracing the evolution of our energy-addicted society from the use of a renewable energy source—firewood—to the use of fossil fuels, which are finite in supply. Believing the time for initiating change is now and not in the future, Clark urges the development of energy sources other than fossil fuels and devotes much of his discussion to solar and wind energy. Some of the chapters' topics are solar electricity, the promise of solar bioconversion, solar homes, storage of wind power, and future uses of wind power. Available from local bookstores or Anchor Press/Doubleday and Company, Inc., 501 Franklin Avenue, Garden City, New York 11530. $4.95.

Conservation

Guidelines for Energy Conservation in Existing Buildings, 12 pages. Oriented toward the contractor or building operations engineer to help determine potential energy savings that can be made by altering buildings. Section IV gives a four-page detailed example of an energy conservation evaluation. Sheet Metal and Air Conditioning Contractors' National Association, Inc., 8224 Old Courthouse Road, Vienna, Virginia 22180. $5.00.

Guidelines for Energy Conservation Systems in New Buildings, 50 pages. Complete condensation of all the available conservation information a new building designer should consider before selecting building environmental systems and equipment. Contains information on all-air systems, all-water systems, heat recovery, and life-cycle costing. Sheet Metal and Air Conditioning Contractors' National Association, Inc. (see above address). $7.50.

How to Save Money By Insulating Your Home, 24 pages. A concise booklet containing complete instructions for do-it-yourself addition of insulation to homes. Advice on selecting a contractor is included, as is basic information about storm windows and doors, caulking, and weatherstripping. National Mineral Wool Insulation Association, 382 Springfield Avenue, Summit, New Jersey 07901. 30 cents. Bulk prices available.

Guide To Energy Conservation For Food Service, 72 pages. A "how-to" publication containing energy-saving suggestions for all types of food service operations, including schools, hospitals, coffee shops, fast-food operations, restaurants, hotels, and motels. Energy-conservation steps are given for food preparation and storage, lighting, heating, ventilation, air-conditioning, and sanitation. Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. Stock No. 041-018-00085-2. $2.15.

Newsletters

Insulation Reporter, Quarterly newsletter containing information about the developments in: home insulation and its use; gas and electric utility energy-conservation programs; government studies, energy legislation, and conservation efforts by allied associations. National Mineral Wool Insulation Association, 382 Springfield Avenue, Summit, New Jersey 07901. Free to **Energy Reporter** readers.

Coal Week. A newsletter specializing in coal. Covers pricing, markets, politics, and economics. Reports on actions from Congress, industry, and government affecting coal development. Geared towards buyers and sellers of coal and those interested in coal development. McGraw-Hill, Inc., 1221 Avenue of the Americas, New York, New York 10020. $216 per year.

Solar

A Citizen's Handbook on Solar Energy, 56 pages. Introduction to the economic and technical feasibility of solar energy. Acquaints the reader with current areas of solar research. Solar experts and information sources are listed for additional reference. Public Interest Research Group, 2000 P Street, NW., Suite 711, Washington, D.C. $1.50 for individuals, $8 for institutions and businesses.

EARS Catalogue, Solar and Wind Energy, 8 pages. Useful compendium of information about solar and wind energy. Updated and expanded quarterly and includes films, books, graphics, and publications. Environmental Action Reprint Service, 2239 East Colfax Avenue, Denver, Colorado 80206. Free.

General

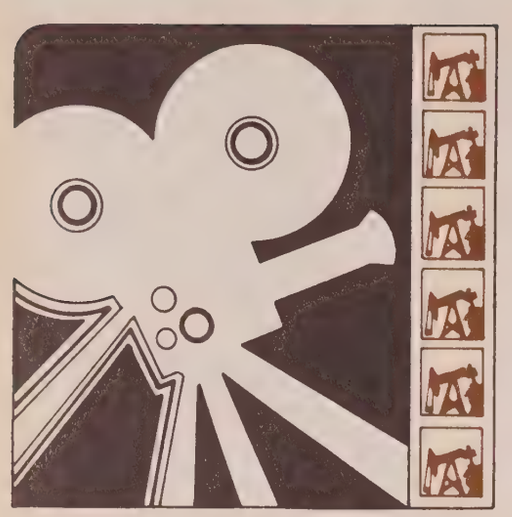
Energy Activity Guide, 24 pages. Colorfully illustrated collection of articles and information on all aspects of energy. Contains an energy fable, games and problems, a backgrounder of the growth and use of fossil fuels, and an energy budget. Anne Bull, Park Project on Energy Interpretation, National Recreation and Park Association, 1601 North Kent Street, Arlington, Virginia 22209. Free.

Natural Gas Conservation/Gas Lamps, 4 pages. Fact sheet discusses the natural gas situation, the amount of energy gas lamps use, and the potential for conservation. Suggestions and cost savings are included. FEA, Publications Distribution, Washington, D.C. 20461. Free single copies.

Local Government

Handbook of Energy Policy for Local Governments, 1975, by Edward H. Allen, 236 pages. Guide to help mayors, city managers, and local government officials improve energy management in times of crisis and planning. Explains how to draw up local ordinances to handle a crisis and what role the Federal government plays in energy policies at the local level. Lexington Books, D. C. Heath and Company, 125 Spring Street, Lexington, Massachusetts 02173. $15.

Energy: The States' Response is a massive (1,107 pages, 2 vols.) compendium of all State energy legislation enacted January-July 1975. A total of 204 bills have been classified into 38 subject categories for easy reference. Produced by the National Conference of State Legislatures for the Federal Energy Administration, the compendium is available through the National Technical Information Service, 5285 Port Royal Road, Springfield, Virginia 22161.



Energy On The Screen

If your group or firm has produced an energy film or slide presentation, we will be glad to consider it for review in this column. Forward a copy to Film Editor, Energy Reporter, FEA, Washington, D.C. 20461.

Our November column pointed out the need for TV shows on energy, and Georgia Power Company's Don Lively has come through with one. His hour-long special, **Running on Energy, Running Short, Running Out?** fully qualifies. Interviews with government and academic experts explain fuel issues while the camera wanders through "energy farms," nuclear plants, surface mines, geothermal wells, and oil shale country. A Scott Joplin piano background accompanies rare footage of the world's earliest offshore oil wells. This special is ideal for TV station programmers who feel the costs of producing their own energy documentaries are prohibitive. But they need not be. Lively created this one for $6,000 (counting prints). It is available to public service programmers, and 12 2-minute spots from the film can be used on news shows. For purchase information, write Don Lively, Georgia Power Company, P.O. Box 4545, Atlanta, Georgia 30302.

Order Coupon

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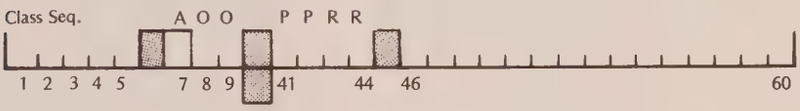

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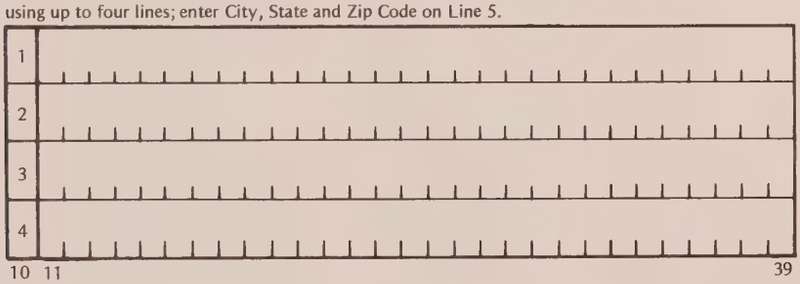

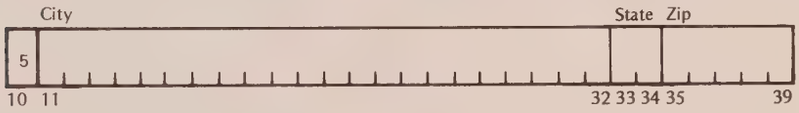

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Comments on Newsletter _____

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Energy Underview

As America whips into its Bicentennial year and solar energy becomes less of a subject for science fiction, **Underview** harks back to to our forebearers. Ol' Sol was often called upon in early American kitchens to process food. Drying in the sun was frequently the easiest and cheapest means of turning in-season perishables into off-season palatables.

But 200 years of progress have refined this recipe, and contemporary chefs now have a process against which the solar cookery of colonial caterers pales. A new use has emerged for our old, reliable sun.

A national fast-food chain is building an experimental "hamburger restaurant" in Vorrhees, New Jersey, which will derive its heating power from solar collectors on the roof. The boiler's waste heat will also be recycled. The solar idea could spread. Thus, the circle is complete, for just as the patriot's meals were parched in the past, so may our curious culinary conveniences be fried in the future.

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Councilman JWHobson

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Sandy —

Do you have time, ask Lorraine to contact TEA and have all city council members placed on the mailing list for the energy reporter

Thanks

COMMITTEE ON EDUCATION, RECREATION AND YOUTH AFFAIRS

17th Regular Meeting

Thursday, March 18, 1976

10:30 a.m.
Room 503 --District Building

AGENDA

I. QUORUM CALL

II. DISCUSSION AND CONSIDERATION OF BILL 1-110, "ELECTED SUPERINTENDENT OF SCHOOLS ACT"

III. DISCUSSION OF PROPOSED REORGANIZATION OF THE OFFICE OF YOUTH OPPORTUNITY SERVICES

Council of the District of Columbia

Committee on Education, Recreation & Youth Affairs

~~[illegible]~~

17th Regular Meeting

Thursday, ~~October~~ March 18, 1976

10:30 a.m.

Room 503 - District Bldg.

I Quorum Call

II ~~[illegible]~~ Discussion and Consideration of Bill 1-110, "Elected Superintendent of Schools Act"

III Discussion of proposed ~~[illegible]~~ Reorganization of the Office of Youth Opportunity Services

COUNCIL OF THE DISTRICT OF COLUMBIA

WASHINGTON, D. C. 20004

JULIUS W. HOBSON
Councilman at Large

April 19, 1976

Dr. Therman Evans
President, Board of Education
The Presidential Building
415 12th Street, Northwest
Washington, D.C. 20004

Dear Dr. Evans:

I have received your letter of April 14, 1976, requesting a meeting with the Council to discuss the Mayor's proposed TSA salary increase. As Chairman of the Committee on Education, Recreation and Youth Affairs, I am extending an invitation to the Board of Education to present its detailed concerns to the Committee about the "District of Columbia Teachers' Salary Act Amendments of 1976", bill 1-271. I have requested that Ms. Patricia Miner, Committee Clerk, contact Mr. Dwight Cropp, Executive Secretary to the Board, to arrange this meeting as soon as possible.

I would also like to advise you that Chairman Sterling Tucker has apprised me that immediate action on this legislative proposal is critical in order to assure Congressional approval of pay raise funds included in the FY 1976 Budget Amendment and FY 1977 Budget for the District of Columbia. While I am concerned about what appears to be the emergency nature of the Mayor's proposal to guarantee funding capability for a teachers' pay raise, I am equally concerned that the Board of Education be given the full opportunity to present its views. The Board of Education has been charged with the direct oversight of public education in the District of Columbia, and should be totally involved in all decisions which can have a significant impact on the quality of education in this city.

I look forward to meeting with you and your colleagues within the next few days.

Sincerely,

Julius W. Hobson

Julius W. Hobson
Chairman
Committee on Education, Recreation & Youth Affairs

Copies to:

Board of Education Members
Mr. Vincent E. Reed, Superintendent
Chairman Sterling Tucker
Councilman William Spaulding
Councilwoman Willie Hardy

Lorraine —

please type asap — I need to have hand delivered today — ignore mailgram comment.

& cc: Board of Education members
Mr. Vincent E. Reed
Chairman Sterling Tucker
Councilman William Spaulding
Councilwoman Willie Handy

~~When Fatima comes in, he must type sign these letters — Sandy & I forgot to put it in the office.~~ We have to try to reach Eve Washington to confirm a time — see me for the time (probably 10:30 am)

Signed by Julius & I'll give you Copy of NPC Chairman address for Carbon copies — Call me.

I look forward to meeting with you and your colleagues within the next few days.

Sincerely,

Julius W. Hobson
Chairman
Committee on Education, Recreation & Youth Affairs

Copies to:

Board of Education Members
Mr. Vincent E. Reed, Superintendent
Chairman Sterling Tucker
Councilman William Spaulding
Councilwoman Willie Hardy

DRAFT

Dr. Therman Evans
President, Board of Education

Mailgram

copies to other Bd. members + Reid

Dear Dr. Evans:

I have received your letter of April 14, 1976 requesting a meeting ~~between the Board of Education and the Committee on Education, Recreation and Youth Affairs~~ with the Council on Education, Recreation and Youth Affairs to discuss the Mayor's proposed TSA salary increase. As Chairman of the Committee, I am extending ~~my cordial~~ an invitation to the Board of Edcation to present its detailed concerns to the Committee about the "District of Columbia Teachers' Salary Act Amendments of 1976", Bill 1-271. I have requested that Ms. Pat Miner, Committee Clerk, contact Mr. Dwight Cropp, Executive Secretary to the Board, to arrange this meeting ~~at our earliest mutual convenience.~~ as soon as possible.

I would also like to advise you that Chairman Sterling Tucker has apprised me that immediate action on this legislative proposal is critical in order to assure the Hill's approval of pay raise funds included in the FY 1976 Budget Amendment and FY 1977 Budget for the District of Columbia. While I am concenred about ~~the necessity to act with despatch to~~ what appears to be the emergency nature of the Mayor's proposal to guarantee funding capabilities for a teachers' pay raise, I am equally concerned that the Board of Education be given the full opportunity to present its views. ~~As the body~~ the Board of Education has been charged with the direct oversight of public education in the District of Columbia, ~~the Board of Education~~ and should be totally involved in ~~making~~ all decisions ~~with significant impact~~ which ~~will~~ can have a significant impact on ~~which will have such import for its operations and affairs~~ the quality of education in this city.

I ~~am~~ look~~ing~~ forward to meeting with you and your collezgues within the next few days. ~~At that time we will decide on on a date for a roundtable discussion with all appropriate parties.~~

Sincerely yours, JWT, CEM, ERYA

BOARD OF EDUCATION OF THE DISTRICT OF COLUMBIA
PRESIDENTIAL BUILDING

415 TWELFTH STREET, N.W.
WASHINGTON, D.C. 20004

THERMAN E. EVANS, PRESIDENT
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JOHN E. WARREN

DWIGHT S. CROPP
EXECUTIVE SECRETARY

DAVID A. SPLITT
GENERAL COUNSEL

April 14, 1976

The Honorable Julius W. Hobson, Chairman
Committee on Education, Recreation and
Youth Affairs
Council of the District of Columbia
5th Floor, District Building
14th and E Streets, N.W.
Washington, D.C. 20004

Dear Chairman Hobson:

Mayor Washington recently forwarded to the City Council his recommendation for TSA salary legislation. While the Board of Education does not oppose an eventual salary increase for TSA personnel this year, we are concerned that the Mayor's action tends to weaken the contract negotiations between the Board of Education and the Washington Teachers' Union.

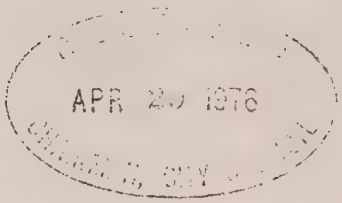
As you are well aware, the Board of Education, for over two years, has been in the process of negotiating an agreement with the Washington Teachers' Union. In view of this fact, the Board had requested that the Mayor coordinate the timing of his recommendation for TSA salary increase with the contract negotiations process. The Mayor obviously did not honor the Board's request and proceeded with his unilateral recommendation to the City Council.

Therefore, on behalf of the District of Columbia Board of Education, I am requesting that no action be taken by the City Council on this matter until such time as the Board of Education can be afforded the opportunity to appear before the Council, or its Committee, to present our concerns in detail. It should be understood that the Board has no intention of obstructing indefinitely TSA salary increases this year; however, our concern is that the contract negotiations process not be undercut and rendered ineffective. An expeditious response to this request would be very much appreciated.

Sincerely,

Therman E. Evans, M.D.
President

RECEIVED
APR 16 1976
Julius Hobson, Sr.
Councilmember-At-Large



THE DISTRICT OF COLUMBIA

WALTER E. WASHINGTON
MAYOR

WASHINGTON, D. C. 20004

APR 20 1976

Honorable Sterling Tucker, Chairman
Council of the District of Columbia
Room 507 - District Building
Washington, D. C. 20004

Dear Mr. Chairman:

On March 24, 1976, I transmitted my legislative recommendation of a salary increase of 6% effective January 1, 1976, for public school teachers in the District of Columbia. The city has provided the necessary funding to pay this increase in the amended budget for the 1976 fiscal year.

The purpose of this communication is to reaffirm the need for prompt City Council action on this proposal. Appropriation hearings on the amended budget for the 1976 fiscal year before the House Appropriations Subcommittee are scheduled for April 27 and 28. Action on the appropriation bill will follow the hearings. My concern is that the funding for the teachers salary increase will be denied if the City has not taken the necessary legislative action to support the appropriation request.

Your prompt attention to this important issue is needed and required.

Sincerely yours,

Walter E. Washington
Mayor

cc: Mr. Robert Williams
Secretary to the
Council

April 19, 1976

Peter D. Ehrenhaft, Esquire
Fried, Frank, Harris, Shriver & Kampelman
Suite 1000, The Watergate 600
600 New Hampshire Avenue, N.W.
Washington, D.C. 20037

Dear Attorney Ehrenhaft:

Thank you for your letter of April 8th enclosing a copy of the memorandum surveying the tax practices of other jurisdictions in the United States.

I will certainly keep your views in mind when the Council considers legislation in this area.

Sincerely,

Julius W. Hobson
Councilman at Large
(Statehood)

FRIED, FRANK, HARRIS, SHRIVER & KAMPELMAN

SUITE 1000, THE WATERGATE 600
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W. RICHARD WEST, JR.
KAREN HASTIE WILLIAMS

FREDERICK SASS, JR.
COUNSEL

April 8, 1976

OUR REFERENCE

The Honorable Julius W. Hobson, Sr.
City Council of District of Columbia
District Building
14th & E Streets, N.W.
Washington, D. C. 20004

Re: D.C. "Commuter Tax"

Dear Mr. Hobson:

In connection with your current consideration of the proposed District of Columbia "commuter tax," I thought you would find of interest the enclosed memorandum prepared by one of our associates surveying the tax practices of other jurisdictions in the United States. As you will see, every state and each of numerous cities in the United States that imposes any kind of income tax follows the principle familiar to the Congress and a part of the Internal Revenue Code, namely, that the jurisdiction within which personal service income is derived has the primary right to tax it. See IRC §§861(a)(3), 862(a)(3). To the extent a person or business is also subject to tax by another jurisdiction for reasons of domicile, nationality or other contacts, it is the latter that must defer to the former. Accordingly, the Internal Revenue Code gives to U.S. residents and nationals who pay income taxes to foreign countries on personal service income derived in such countries a credit against their U.S. tax. IRC §901(b)(1). See also IRC §911. This principle is also a part of all of the international tax treaties to which the United States is a party. And it is the rule followed by the many states and cities within this country that impose an income tax. The government of the place where the income is earned has the first right to tax it. Local residents who are taxed under this "source" rule on income they earn elsewhere are then allowed to credit such nonresident taxes against their local tax obligation.

RECEIVED
APR 9 - 1976
Julius Hobson, Sr.
Councilmember-At-Large

The law for the District of Columbia is unique in not following this universal practice. It, alone, bases its income tax on the domicile of the taxpayer. As a result, persons living in the adjacent states but working within the District are relieved of the obligation to pay tax to the District -- which obligation they would bear if, instead of in Washington, they worked in Cleveland, Detroit, Philadelphia, New York or St. Louis while living in Maryland or Virginia. And conversely, a D.C. resident who is taxed by another state or city -- such as a D.C. resident member of our law firm, who derives income from the firm's office in New York City -- pays a nonresident tax to New York and New York City, but receives no deduction or credit against his D. C. individual income tax. (Our partners resident in Maryland do receive such a credit against their Maryland income tax). Thus, D.C. residents deriving personal service income elsewhere are taxed twice, contrary to all principles of fairness or the system of income taxation known to all other jurisdictions. Clearly the local income tax law should be made to conform to the norms of the federal law and the laws of the states.

If a change in this principle of District of Columbia tax law were adopted, it would also make sense to adopt locally the system now followed by many, if not most, of the states with individual income taxes by which the state income tax is determined by application of federal law and principles (with some minor adjustments). There seems to be no reason whatever why the New York State tax law has incorporated by reference the Congressionally-enacted Internal Revenue Code for most purposes of its state income tax, while the District of Columbia labors under a separate Congressionally-adopted tax law with significant differences that tend to affect every taxpayer (e.g. in determining eligible charitable deductions, the amount of personal exemptions, the limit on medical expense deductions and the deduction of contributions to retirement plans). Incorporation by reference of the Internal Revenue Code would facilitate the preparation of D.C. returns and should therefore, encourage compliance with the local law.

Sincerely yours,

Peter D. Ehrenhaft

Enclosure

M E M O R A N D U M

TO: Peter Ehrenhaft

FROM: Bill Rhodes

RE: State Tax Laws

DATE: March 3, 1976

Introduction

The discussion below and attached table address the following questions regarding state tax laws:

1. Do states which impose personal income taxes generally provide a tax credit to residents of the state for income taxes paid to other states?

2. With respect to those states and cities which tax unincorporated business entities, what allocation formula is used to determine the portion of the total income of the business entity subject to tax?

Discussion

1. Credit For Taxes Paid Elsewhere:

Forty states and the District of Columbia maintain a personal income tax system. All but the District of Columbia impose income taxes on non-residents as well as residents. This is normally done by applying the same tax rate applied to residents to that portion of the income of a non-resident derived from sources within the state ("source rule"). Florida, Nevada, South Dakota, Texas, Washington and Wyoming impose no personal income taxes on residents or non-residents. New Hampshire and Tennessee impose a personal income tax only on income derived from "intangible sources," such as interest and dividends. Connecticut imposes a personal capital gains tax and a tax on dividends received by

any taxpayer whose federal adjusted gross income equals or exceeds $20,000. New Jersey maintains a complex "critical area" income tax system, which taxes the net income of New Jersey residents derived from New York, and taxes and net income of New York residents derived from New Jersey.

All forty states which impose a personal tax on their residents also provide them a full tax credit for income taxes paid to other states.* The District of Columbia is alone in not providing a general credit to its residents for income taxes paid to other states. The District only provides residents a credit on income or intangible personal property taxes paid to another state if the resident is a "bona fide domiciliary" of that state and is required by his state of domicile to pay such taxes (47 D.C. Code §1567d).

2. Unincorporated Business Taxes:

Most states tax the income of profit-making corporations, and many also tax business trusts, banks and other financial institutions. However, only two states impose an income tax on unincorporated businesses per se, apart from the individual owners or members who derive income therefrom. These are the District of Columbia and New York. In addition, Michigan imposes a "single business tax," which has many of the characteristics of an unincorporated business income tax, and, several cities impose net profits taxes on all entities conducting business within them, whether or not incorporated.

Michigan

Michigan's "single business tax" is imposed on all "persons"

*Oklahoma limits this credit only to taxes paid another state on compensation for personal services.

with business activity in Michigan, which is allocated to the state. "Person" includes not only individuals, but corporations, firms, banks, financial institutions, limited partnerships, partnerships, joint ventures, associations, estates, trusts or any group or combination acting as a unit. According to the statute, the tax is not levied on income but on "the privilege of doing business" in the state. It is, however, computed on an "adjusted tax base," and it amounts in essence to a tax of 2.35% on that portion of federal taxable income apportioned to business activity in Michigan. Section 31, Act. 228, Laws 1975, Michigan Compiled Laws of 1970.

The allocation of the tax base in Michigan is accomplished by averaging three different ratios: (1) the value of real and tangible personal property owned or rented and used in Michigan compared to the total value of all such property owned or rented by the business in the taxable year; (2) the wages paid in Michigan compared to wages paid everywhere in the taxable year; and (3) sales in Michigan compared to total sales everywhere in the taxable year.

New York

In New York, a tax of 5 1/2% is imposed by the state on the net income of unincorporated businesses conducting business within the state. The proportion of net income derived from New York and subject to the tax may be determined in several ways. A business may select a method for separating such income under its own bookkeeping system and submit an apportionment plan to the State Tax Commission for approval. If the proportion is not otherwise ascertainable, a formula similar to that utilized under the Michigan "single business tax" is employed. An average percentage is obtained from three ratios:

(a) the percentage that the average value of real and tangible personal property within New York bears to the average value of all the real and tangible personal property wherever located, (b) the percentage that the total personal service compensation paid in connection with business carried on within New York bears to the total personal service compensation connected with business everywhere, and (c) the percentage that the gross sales or charges for services performed by or through an agency located in New York or by an employee of such unincorporated business bear to the gross sales or charges for services performed everywhere. New York Consolidated Laws, Chapter 60, Art. 23, §707. The resulting average percentage is applied to all net income of the business to determine the net income allocable to New York. New York Consolidated Laws, Art. 23, §707 Chapter 60.

New York City also applies an unincorporated business tax of its own. A 4% tax is imposed on the taxable income of unincorporated businesses derived from business activity in the city. Where the taxpayer also has a regular place of business outside the city, allocation of the income subject to the tax is made either according to an approved plan based on the taxpayers' bookkeeping system, or a formula averaging property, payroll, and gross income factors is applied in the same manner as under the state allocation formula.

Other Cities

Other large cities also impose a tax on unincorporated businesses as entities, even where the state does not. In Missouri, Kansas City and St. Louis each impose a 1% tax on the net profits of unincorporated business, associations, professions, or other

similar business activities conducted in Kansas City by both residents and non-residents. Code of General Ordinances of Kansas City, Sec. 32.141; St. Louis Code, Sec. 145.020. As in the case of New York, where business activity is conducted both within and without the city, profits subject to tax are determined by a "separate accounting" system of the business itself, or by an allocation formula which averages the ratio property value, wage/salary, and gross receipt factors from business within the city to the total attributable to the business wherever conducted.

A number of cities in Ohio impose a similar tax on the net profits of unincorporated businesses. The percentage varies from 1% - 2% depending on the city, and the tax is imposed in Akron, Canton, Cincinnati, Cleveland, Columbus, Dayton, Toledo and Youngstown. In the absence of records showing the actual proportion of profits attributable to business activity within the city in question, net profits are allocated in each case under a formula averaging ratios of property value, wages/salaries, and gross receipts within the city to the overall amounts from business everywhere.

Three cities in Pennsylvania - Philadelphia, Pittsburgh and Scranton - impose a tax on net profits from businesses and professions. If a non-resident taxable entity transacts business both within and outside the city, it may apportion its net profits through a separate accounting of profits attributable to business sources within the city, as long as the accounting method is reasonable and accurately reflects such profits. Where the taxpayers' records do not clearly disclose this information, a three-

factor formula, virtually identical to those used in the New York and Ohio cities discussed supra, is employed to make the allocation.

> [Note: It may be of interest that the Supreme Court of Pennsylvania has held under Pennsylvania law (Act of August 5, 1932, P.L. 45, 53 P.S. 15971), that a partnership must be treated as an aggregate of individuals rather than as a separate entity, and that the City of Philadelphia lacks the power to consider the domicile or residence of a general partnership as distinct from the domicile or residence of the individual partners themselves, for tax purposes. Philadelphia Tax Review Board v. D.H. Shapiro Co., 409 Pa. 253, 185 A.2d (1962) (copy attached). Therefore, a partnership is not a taxable entity for purposes of the Philadelphia Net Profits tax, and each partner must be taxed on his distributive share of partnership income as if he were engaged directly in business. The Court found that the net profits tax was only applicable on an individual basis to profits of a resident partner, and profits from services rendered within Philadelphia by non-resident partners. Because the Philadelphia tax regulations have not been revised to reflect the holding in Shapiro, the city no longer attempts to tax partnerships as entities, and permits all income earned by a non-resident partner attributable to services performed outside the city to go untaxed (see, Memorandum of August 2, 1974, re Taxation of Non-resident Partnership in Philadelphia, sent by Stanley Weiss of Morgan, Lewis and Bockins).]

District of Columbia

The District of Columbia unincorporated business income tax is somewhat more complex than that of similar taxes imposed elsewhere. The stated purpose is to impose a tax on all business income which would be subject to the corporation franchise tax if the business entity were incorporated. A tax rate of 9% (12% for 1975) is imposed upon the taxable income of the business entity. Until 1975, personal service businesses such as law firms were exempt from this tax. While the exemption has been

eliminated, the D.C. Code was amended to permit a "salary deduction" of up to 70% of the net income of partners/owners of previously exempt businesses. D.C. Code §47-1557b(a)(15).

Under the D.C. Code generally, business income attributable to sources in the District is derived under the "standard" apportionment formula requiring an averaging of three factors: property value, payroll and sales. However, with respect to previously exempt personal service businesses, the District provides an apparently unique single-factor formula, based on "revenue hours" spent in pursuit of the profession within the District. D.C. Code §47-1580a, Reg. Sec. 309.5(I). Under this formula, the net income of the firm is multiplied by a fraction, the numerator of which is the hours logged within the District by partners or members, associates or employees actively engaged in the performance of personal or professional services in connection with the pursuit of the profession and the denominator of which is the total of such hours logged everywhere. Even if the client is located in D.C., if the work is performed outside D.C. the hours logged are not counted toward the D.C. tax base in applying the apportionment formula. The resulting percentage of net income is "apportioned out," of D.C., with the balance being considered "D.C. net income." The 70% "salary" allowance is then claimed against this figure. Finally, a $2,500 exemption per firm is subtracted before the tax is computed.

Attachment

State Personal Income Tax

States	On Residents	On Non-Residents	Tax Credit for Income Taxes Pd. Other States		Reciprocity Required	
			Residents	Non-Residents	Residents	Non Residents
Alabama	Yes	Yes	Yes	No	No	-
Alaska	Yes	Yes	Yes	No	No	-
Arizona	Yes	Yes	Yes	Yes	Yes*	Yes*
Arkansas	Yes	Yes	Yes	No	No	-
California	Yes	Yes	Yes	Yes	Yes*	Yes*
Colorado	Yes	Yes	Yes	No	No	-
Connecticut	Yes[1]	No	No[1]	-	-	-
Delaware	Yes	Yes	Yes	No	No	-
District of Columbia	Yes	No	No[2]	No	No	-
Florida	No	No	-	-	-	-
Georgia	Yes	Yes	Yes	No	No	-
Hawaii	Yes	Yes	Yes	No	Yes*	-
Idaho	Yes	Yes	Yes	No	Yes*	-
Illinois	Yes	Yes	Yes	No	No	-
Indiana	Yes	Yes	Yes	Yes	No	Yes
Iowa	Yes	Yes	Yes	No	No	-
Kansas	Yes	Yes	Yes	No	No	-
Kentucky	Yes	Yes	Yes	No	No	-
Louisiana	Yes	Yes	Yes	No	No	-
Maine	Yes	Yes	Yes	No	No	-
Maryland	Yes	Yes	Yes	Yes	Yes*	-
Massachusetts	Yes	Yes	Yes	No	No	-
Michigan	Yes	Yes	Yes	Yes	No	Yes
Minnesota	Yes	Yes	Yes	Yes	Yes*	Yes*
Mississippi	Yes	Yes	Yes	No	No	-
Missouri	Yes	Yes	Yes	No	No	-
Montana	Yes	Yes	Yes	No	No	-
Nebraska	Yes	Yes	Yes	No	No	-
Nevada	No	No	-	-	-	-
New Hampshire	Yes[3]	Yes[3]	No	-	-	-
New Jersey	Yes[4]	Yes[4]	Yes	No	No	-
New Mexico	Yes	Yes	Yes	Yes	No	Yes
New York	Yes	Yes	Yes	No	No	-
North Carolina	Yes	Yes	Yes	No	No	-
North Dakota	Yes	Yes	Yes	No	No	-
Ohio	Yes	Yes	Yes	Yes	No	-
Oklahoma	Yes	Yes	Yes	No	No	-
Oregon	Yes	Yes	Yes	No	No	-
Pennsylvania	Yes	Yes	Yes	No	No	-
Rhode Island	Yes	Yes	Yes	No	No	-
South Carolina	Yes	Yes	Yes	No	No	-
South Dakota	No	No	-	-	-	-

State Personal Income Tax
(continued)

States	On Residents	On Non-Residents	Tax Credit for Income Taxes Pd. Other States		Reciprocity Required	
			Residents	Non-Residents	Residents	Non-Residents
Tennessee	Yes[5]	No	No	-	-	-
Texas	No	No	-	-	-	-
Utah	Yes	Yes	Yes	No	No	-
Vermont	Yes	Yes	Yes	No	No	-
Virginia	Yes	Yes	Yes	Yes	Yes*	Yes*
Washington	No	No	-	-	-	-
West Virginia	Yes	Yes	Yes	Yes	Yes*	Yes
Wisconsin	Yes	Yes	Yes	No	No	-
Wyoming	No	No	-	-	-	-

*Indicates where the "reciprocity" required is negative in effect, i.e., the tax credit is given only if the other state does not give a credit.

Footnotes

1. Connecticut levies a personal income tax (7%) only upon dividends earned by resident taxpayers whose federal adjusted gross income equals or exceeds $20,000/yr., and on net gains from the sale of capital assets. A tax credit is allowed for taxes paid to another state for any gain from the sale of realty in that state which was not held for investment purposes.

2. The District of Columbia does provide a tax credit for residents for income and intangible personal property taxes paid another state if the resident is a bona fide domiciliary of that state and is required by the state of domicile to pay such taxes.

3. New Hampshire taxes only the income of residents received as interest and dividends. Nonresidents are taxed only on such income received during the part of the year when they were residents.

4. New Jersey levies tax on the net income derived from New York by New Jersey residents, and on net income derived from New Jersey by New York residents.

5. Tennessee taxes residents on dividends from stock and interest from bonds and other obligations, with certain exceptions.

Council of the District of Columbia
Memorandum

City Hall, 14th and E Streets, N.W. 20004 Fifth Floor 638-2223 or Government Code 137-3806

To Members, Committee on Education, Recreation and Youth Affairs

From Patricia E. Miner, Committee Clerk

Date April 23, 1976

Subject Bill 1-271, "District of Columbia Teachers' Salary Act Amendments of 1976"

Mayor Washington has submitted his recommendations for Council action on salary rate changes for persons employed under the Teachers' Salary Act (teachers and school officers). Bill 1-271 was introduced by Chairman Sterling Tucker at the request of the Mayor on March 26, 1976 and published in the D.C. Register on April 14, 1976. The bill provides for an average salary increase of 6%, effective January 1, 1976.

The Board of Education has 7,622 authorized TSA positions (7,064 TSA-15 (teachers) and 558 TSA-1 through TSA-14 (school officers)) No other agency has employees under the Teachers' Salary Act.

COMPARISON WITH OTHER GOVERNMENT EMPLOYEES

The recently enacted pay raise for police and firemen (Bill 1-235) established a pay scale which included a 6% salary rate increase, retroactive to the first day of the first pay period after October 1, 1975. The act further provides for a second stage pay raise equivalent to any pay raise granted to GS employees in October 1976.

The proposed bill would start a beginning teacher (TSA-15) with a bachelor's degree at $10,536. The comparable figure for police at the entry level is $12,296. For comparison purposes an entry-level GS-7 currently would earn $11,046 and an entry-level GS-9 would earn $13,482. It should be noted that the Public Schools uses the GS-9 salary rate for cooperative teachers who work in year round programs. Prorating a GS-9 salary to a 10 month basis would equal $11,235; this should be compared with the TSA-15 entry-level salary of $10,536,proposed by Bill 1-271.

The Committee may well choose to consider the issue of parity between the police and firemen's pay raise and that proposed by the Mayor. It is the staff's opinion that the teachers' pay raise should, at the minimum, be retroactive to October 1975 to assure a measure of parity.

The most recent pay raise granted to teachers and school officers was a two step increase in September 1974 and January 1975.

FISCAL CONSIDERATIONS

The Mayor's letter of transmittal which accompanied Bill 1-271 stated that

> "the estimated cost of the recommended legislation, including fringe benefits, is $4,600,000 for the remainder of Fiscal Year 1976, $1,000,000 for the Interim Budget period, and $7,000,000 for Fiscal Year 1977. The necessary funding has been previously provided for in the budget and financial plan of the city for the entire period of this recommendation."

An informal cost estimate from the Public Schools indicates that personnel compensation costs for FY 76 - January 1, 1976 to June 30, 1976 - would be $4,281,024 and for FY 77 - October 1, 1976 to September 30, 1977 - would be $7,479,372. The interim period of July 1, 1976 through September 30, 1976 would cost only $867,936 because of summer vacation and the need to only pay for school officers during the entire period;teacher's pay is only provided during September. To these amounts should be added 1% for benefits; the only actual benefits increase would be for life insurance. Health coverage is unaffected and retirement is treated as a separate budget item. Therefore, the total cost of the pay raise during the period covered by Bill 1-271 is:

FY 76	$4,281,024	Jan. 1, 1976-June 30, 1976
Interim Period	867,936	July 1, 1976-September 30, 1976
FY 77	7,479,372	Oct. 1, 1976 - September 30, 1977
	$12,628,332	
	126,283	1% benefits increase
	$12,754,615	

If the pay raise is made retroactive to October 1975, similar to the pay raise enacted for police and firemen, the required additional amount is $2,140,512 for a total cost of $14,895,127 for the period October 1, 1975 through September 30, 1977. This figure is based on the fact that the teachers would receive an additional 3/10 of the year increase since they are paid on a 10 month basis and school officers would receive an additional 1/4 of the year increase since they are paid on a 12 month basis.

According to Budget Committee staff, the FY 1976 Budget Amendment included $10,000,000 for a pay raise reserve. Since the police and firemen's pay raise will cost $5,720,500, then $4,279,500 is available to fund teachers' pay raise. Similarly, the FY 1977 Budget included $17,100,000 for pay raises. The police and firemen's pay raise will cost $7,987,600 leaving an estimated $9,112,400 available for teachers' pay raises. It should be noted, however, that the police and firemen's raise provides an increase if GS workers receive one during the fall of 1976; Bill 1-271 provides no similar mechanism for teachers. The cost of this later raise for police and firemen would no doubt have to be funded within the $17,100,000 appropriation.

Memorandum to: ~~All~~ Staff Members ~~[redacted]~~

From: Pat Miner
Staff Director

Date: 26 April 1976

Subject: ~~Staff~~ Meeting

Thursday

~~The~~ I am calling a meeting of all staff on the Committee and in Councilman Tibbs's office on ~~Wednesday~~ afternoon at ~~2~~ 3:30 p.m. to be held in the Councilman's office. At that time we will discuss the following topics: (a) specific assignments, (b) employee workload, (c) requirements regarding work schedules, leave, and so forth, (d) problems encountered in daily operations, and (e) vacation schedule for summer 1976, ~~[redacted]~~ ~~any thing else anybody~~ Please be prepared to ~~[redacted]~~ discuss these topics in detail. The meeting will last only one hour.

RECEIVED
Equal Employment
JUN 17 1976
Julius Hobson, Sr.
Councilmember-At-Large

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 76-118
May 21, 1976

SUBJECT: Affirmative Action in District Government Employment Act

ORIGINATING AGENCY: Office of Budget and Management Systems

By virtue of the authority vested in me by the District of Columbia Self-Government and Governmental Reorganization Act (P.L. 93-198), and pursuant to District of Columbia Law 1-63, "Affirmative Action in District Government Employment", it is hereby ORDERED that:

A. All persons, who on May 7, 1976, the effective date of D. C. Law 1-63, were employed on a full time basis as equal employment opportunity officers and equal employment opportunity specialists by any agency of the District government other than the Office of Human Rights and the Fire Department, shall be detailed on a full-time basis to work in the Office of Human Rights as investigators or in other positions, all directly involved in the decision of equal employment opportunity cases instituted against the District government or any of its agencies. Such details shall terminate upon the official reassignment of employees affected by this Order when appropriate positions are established in the Office of Human Rights pursuant to the provisions of D. C. Law 1-63.

B. Heads of departments and agencies affected by this Act shall initiate on the effective date of this Order, the details described in paragraph A above by preparing and submitting to the Office of Personnel the required personnel forms. Further, heads of affected departments and agencies;

(1) shall submit to the Office of Budget and Management Systems the name, grade, and salary of the employee(s), who on May 7, 1976, were employed on a full time basis as equal employment opportunity officers and equal employment opportunity specialists, and

(2) shall also submit to the Office of Budget and Management Systems the name, grade, and salary of employee(s) to be detailed to the Office of Human Rights if different from the employee (s) described in paragraph B(1) above.

C. No person so detailed shall work on cases instituted against the agency from which the person is detailed, and in the case of the person so detailed from the Metropolitan Police Department, such person shall not be a uniformed employee of the Metropolitan Police Department.

D. All personnel affected by implementation of this Order shall retain all personnel rights consistent with the D. C. Personnel Manual and applicable Federal statutes.

E. All heads of affected agencies shall provide appropriate office equipment for each person detailed to the Office of Human Rights. Property ownership shall be transferred to the Office of Human Rights.

F. The Director, Office of Human Rights, shall be responsible for implementation of all provisions of D. C. Law 1-63, except as otherwise provided for herein.

G. This Order shall become effective immediately.

WALTER E. WASHINGTON
Mayor

May 24, 1976

Mr. William H.D. Ellis
Executive Director
14th Street Project Area Committee, Inc.
Washington, D.C. 20009

Dear Mr. Ellis:

I sincerely regret that my schedule will not permit my participating in the parade and as a special dais gues for the ceremonial program on June 5, 1976, celebrating the bicentennial and the Second Annual PAC Community Festival/Togetherness Day.

I hope you will have a very successful affair and that it will be well attended.

Sincerely,

Julius W. Hobson
Counsilman at Large

Mail Routing Slip

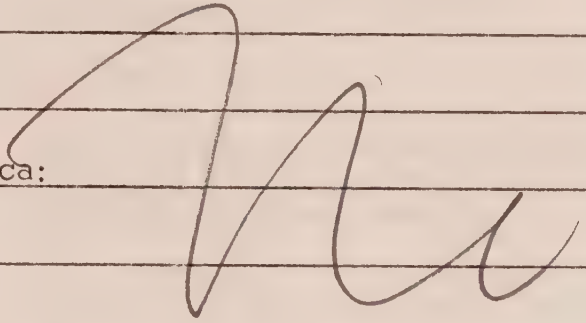
Date: 5/2

To: Council member Julius Hobson

Comments:

Pat Miner:

Lou Aronica:



Sandy Brown:

Lorraine McCottry:

Alice Blue:

14th STREET PROJECT AREA COMMITTEE, INC.
2901 14th Street, N.W. Washington, D.C. 20009
TELEPHONE: 483-1925

RICHARD JONES, Chairperson
JAMES WASHINGTON, Vice Chairperson
VICTOR HOWELL, Treasurer
VIOLA LEWIS, Secretary

April 27, 1976

Mr. Julius Hobson
Councilman-At-Large
D.C. City Council
District Building
14th and "E" Streets, N.W.
Washington, D.C. 20005

Dear Mr. Hobson:

The Fourteenth Street Project Area Committee, Inc. is presenting a Bi-Centennial Celebration and the Second Annual PAC Community Festival/Togetherness Day on June 5, 1976.

The purpose of the Community Day is to primarily bring focus to the 14th Street Community through citing potential development activities necessary for the revitilization of the community; and to bring visual attention to developmental deficiencies/short comings and development aspirations of the Project Area Community. In addition, this day will reflect on PAC's continued effort to encourage and sustain citizen participation in the present community development process and serve as a model for citizen participation during and after the Bi-Centennial Year. The PAC optimistically hope that the planned activities of the day will generate or solicit development interest for ensuing projects in this area which will eventually make for a stable and viable community.

The Community Day will feature a grand parade and speakers from the District and Federal Government Programs. Our Community would be most grateful and honored to have your participation in the parade and serve as Special Dais Guest for the ceremonial program.

This year, the 14th Street PAC has expanded its scope in terms of overall participation through the concept of a City-Wide Community Mardi-gras Day with special festivities throughout the day. The Afro-American Newspaper and WOOK Radio Broadcasting Station are co-sponsors in this affair. The Afro-American Newspaper will have as its focal point during the entire day, "Send a Needy Boy or Girl to Camp". WOOK will broadcast an all day radio-thon from the 14th Street PAC Office, 2901 14th Street, N.W.

RECEIVED
APR 29 1976
Julius Hobson, Sr.
Councilmember-At-Large

enlisting support for the summer camp program and reporting on the days' events.

Mr. Hobson, it is vastly important to the success of our City-Wide Community Mardi-gras Day to have your presence in the afore requested capacities on June 5, 1976.

If there are any questions regarding this significant community affair, please do not hesitate to contact my office.

Sincerely,

William H.D. Ellis
Executive Director
14th Street Project Area Committee, Inc.

Attachment

BI-CENTENNIAL CELEBRATION - The City Wide Community Mardi gras Day - June 5, 1976

Parade Route:

Beginning: 10:00 a.m.

14th & P Streets, N.W. to 14th & Spring Road, N.W.

Disbanding Area: 12:00 p.m.

13th & Columbia Road, N.W. (On both sides)

Ceremonial Program: 12:30

The Review Stand or Showmobile will be on the vacant lot across from the PAC Office, 2901 14th Street, N.W.

Beverly Nelson

483 - 1925

secretary to

Council by Kathie

together 2 days

per week 5

14th St Project

Area Committee

IBM

Input Word Processing Equipment

General Services Administration
Federal Supply Service

Authorized Supplemental
Federal Supply Schedule Price List

FSC Group 74, Parts II and III
Office Machines

Contractor:
International Business Machines Corporation
Office Products Division

Contract No.:
GS-OOS-26564

Special Item Nos.:
50-184-2, 50-191-2, 50-195,
effective March 18, 1975.

Period:
Through June 30, 1975

GSA Distribution Code:
OOCC-7421

Item No.	Maximum Order Limitation	Model No.
50-184-2	$25,000	281 283 285 287 288 280
50-191-2	$25,000	282
50-195	$25,000	Attachments and Features

A cartridge with 25 mag discs will be included at no extra charge with the purchase of each model. This is in addition to the supplies provided all other customers.

PRICES SHOWN HEREIN ARE NET

Questions

(1) are discs reusable?

(2) Can you control transcriber to
a- back up
b- reduce or up loudness
c- slow speed

(3) control – transcriber foot or thumb

(4) stethoscope ear phones?

Special Item No.	INPUT PROCESSING EQUIPMENT 6:5 CARTRIDGE SYSTEM	Government Price
	Description	
50-184-2	**281 Recorder**	$ 572.30
	281 Recorder with 5′ Pluggable Coil Cord Microphone	625.65
	283 Microphone Control (4x1)* Includes cables, but not Recorder	324.95
	285 Microphone Control (8x2)* Includes cables, but not Recorder	780.85
	287 Tone Control**	1,949.70
	288 Dial Control**	882.70
	280 Message Control**	412.25
50-191-2	**282 Transcriber** without accessories	572.30
	282 Transcriber with two-way audio set or IBM sound set and foot control	625.65

*IBM Representative should be contacted at time of order.

**Price includes cables, but not recorder. IBM Representative should be contacted at time of order.

	Combination Control, Part No. 1467667	169.75
	Directive Control, Part No. 1467650	145.50

INPUT PROCESSING EQUIPMENT
6:5 CARTRIDGE SYSTEM SUPPLIES

Special Item No. 50-195

Description	Quantity	Price
Mag Discs	50 (Packet)	$19.00
6:5 Systems Portfolio:		
Letter	10 (Per Box)	9.50
Legal	10 (Per Box)	19.00
Mag Disc Folders	250	11.87
Cartridges:		
Mag Disc Cartridge—25 (Two Blue Cartridges—25 Discs Per Cartridge)	2	24.70
Mag Disc Cartridges (5-Empty Cartridges Per Box)		
Blue	5 (Cartridges)	14.25
Orange	5 (Cartridges)	14.25
Yellow	5 (Cartridges)	14.25
Green	5 (Cartridges)	14.25
Pink	5 (Cartridges)	14.25
Multi Color Pack (One each of Above)	5 (Cartridges)	14.25
6:5 Systems File Box	1	5.70

IPE ATTACHMENTS AND FEATURES 6:5 CARTRIDGE SYSTEM

Special Item No. 50-195

MICROPHONE AND MICROPHONE STATIONS 6:5 CARTRIDGE SYSTEM

Description	
5′ Pluggable Coil Cord Microphone w/Cradle, Model 281	$ 53.35
10′ Systems Microphone Pluggable to Wall Receptacle or Recorder, w/Cradle, Models 281, 283, 285	126.10
50′ Systems Microphone (1x1), Pluggable, surface-wired w/Cradle, Model 281	155.20
50′ Systems Microphone (4x1 or 8x2), surface-wired w/Cradle, Models 283, 285	155.20
100′ Systems Microphone (4x1 or 8x2), surface-wired w/Cradle, Models 283, 285	179.45
Hands Free Station w/Telescopic Micro. and 8′ plug. cord, Models 281 and perm-wired 283, 285	237.65
Hands Free Station w/8′ plug. cord, w/o Micro., Models 281 and perm-wired 283, 285	184.30
Microphone Foot Control, 7′ for Hands Free Stations & Goose Neck Assy.	58.20
Microphone Foot Control, 20′ for Hands Free Stations and Goose Neck Assy.	74.69
Goose Neck Assy. & Conf. Microphone for Part No. 1468161	63.05

MICROPHONE SYSTEMS CONTROLS 6:5 CARTRIDGE SYSTEM

Directive Control, Models 281, 283, 285	145.50
Combination Control, Model 281	169.75

TRANSCRIBING ACCESSORIES 6:5 CARTRIDGE SYSTEM

Transcriber Foot Control, Models 282, 281, Combination Control	38.80
Two-way Audio Set, Models 282, 281	14.55
Lightweight IBM Sound Set, Models 282, 281	14.55

NO CHARGE FIELD INSTALLED OPTIONS 6:5 CARTRIDGE SYSTEM

Automatic Disc Feed, Models 281, 283, 285, 287	N/C
Ninety Second Disconnect, Model 287	N/C
Answer in Stop, Model 287	N/C

SALES PRICES

MISCELLANEOUS ACCESSORIES 6:5 CARTRIDGE SYSTEM

Pre-wired Receptacle and Face Plate, permanent-wired installations, Models 283, 285 (PDC)	$ 9.94
Self-Adhesive Cable Clamps, surface-wired, (10 to package), Models 281, 283, 285 (PDC)	1.55
Systems Microphone Cradle, Models 281, 283, 285	7.52
Disc Eraser 25 Discs	11.45
Cartridge Eraser	38.80
Erase Magnet— Individual Discs	2.62
Lightweight Headset Ear Tips, (50)	7.76
Lightweight Headset Chin Band, (10)	33.46
Line Cords (PDC)	
3 wire	2.81
2 wire	2.81
Cable (Replacement)	
Control Box (4x1, 8x2) To Wall, Models 283, 285 (PDC)	24.25
Recorder to Wall (1x1, Permanent), Model 281 (PDC)	27.16
Control Box to Recorder (4x1, 8x2), Models 283, 285, (PDC)	20.37

(PDC) Available from Parts Distribution Center

IBM

International Business Machines Corporation
Office Products Division
Franklin Lakes, New Jersey 07417
Printed in USA 375

June 15, 1976

Dr. Therman Evans
President
Board of Education
12th Floor - The Presidential Building
415 12th Street, N.W.
Washington, D.C. 20004

Dear Dr. Evans:

A request for reprogramming of $1,975,000 for the public schools has been referred to the Committee on Education, Recreation, and Youth Affairs. The enclosed letter, dated June 10, 1976, from Mayor Walter Washington to Chairman Sterling Tucker outlines the uses for such reprogrammed funds: $496,000 for special education programs, $844,000 for repair and maintenance, and $635,000 for employee benefits.

These proposed applications of the aforementioned funds are distinctly different from the essential non-personnel expenditures which you had outlined in your letter to me dated May 12, 1976. In fact, the actual amount to be reprogrammed differs significantly from the $2.3 million which had been identified by the Superintendent of Schools and approved by the Board of Education.

The particular discrepancies between all documents received by the Committee are outlined below:

	Board's Request May 12, 1976	Mayor's Request June 10, 1976	D.C. Public Schools' Reprogramming Requests in OBMS-June 15, 1976	
Special Education	(476,470)*	496,000	476,470	
Repair and Maintenance	500,000	844,000	500,000	
Employee Benefits		635,000	635,120	
Equipment Repair	100,000		100,000	
Warehouse Stock	700,000		800,000	(Supplies)
Test Materials	100,000			
Evaluation Design	70,000		70,000	
Automated Systems	244,000		244,000	
	1,714,000	1,975,000	2,825,590	
	(2,190,470)*			

Please clarify what the Board of Education's position is with respect to the differences in these figures.

Committee staff has informed me that informal communications with the Mayor's Office of Budget and Management Systems and the Public Schools' Office of Management Services reveal that the public schools have requested the reprogramming for employee benefits since your earlier correspondence. (See enclosed reprogramming requests.) It was further indicated that any other funds available for reprogramming after the completion of the request from the Mayor could be "carried over" to the Transition Quarter and reprogrammed at a later date for new and improved services. It should be emphasized, however, that it was indicated that there is no guarantee that sufficient funds would be available for reprogramming in the Transition Quarter for the items which the Board of Education had previously approved.

The Committee on Education, Recreation, and Youth Affairs reviewed your letter of May 12, 1976 and the accompanying documents at its meeting of May 20, 1976 and had planned to act on that request upon receipt of the Mayor's formal request and concurrence. During that discussion on the Board's request, committee members indicated their pleasure that the Board of Education had addressed the Council's concern for systematic student evaluation, as outlined in the Committee's reports on the FY 1976 and FY 1977 Budgets, incorporated in the Council's final report on those actions.

We are most mindful of the necessity for prompt action because of the pending expiration of the fiscal year. Prior to the Committee's action, I would like your comments and recommendations on the Mayor's request. Because of the short period of time remaining in the fiscal year, I would urge your response as soon as possible.

Sincerely yours,

Julius W. Hobson
Chairman
Committee on Education, Recreation & Youth Affairs

cc: Councilwoman Willie Hardy, Councilman William Spaulding, Council Chairman Sterling Tucker, Superintendent Vincent Reed, School Budget Director, Edward Winner, D.C. Budget Analyst, Frank Cush, Council Legal Counsel, Edward Webb

TRANSMITTAL SLIP

Use IN PLACE OF a Transmittal Letter
Do NOT use if a CHAIN envelope is sufficient

FROM Name: George R. Rodericks, Director
Office of Emergency Preparedness
Location: 300 Indiana Ave., N. W.
Room-5009, Municipal Center

Date Sent: 6-18-76
Follow-up Date:

SUBJECT: Development of Task Group Plan of Operation 1-5 July 1976

TO Name
1 Councilman Julius W. Hobson
Location: District Building

2 Name
Location

3 Name
Location

4 Name
Location

PREPARE REPLY FOR SIGNATURE OF

Date Required

DISPOSITION OF PAPERS AFTER LAST ACTION (Sender check one)
☐ Return to Sender ☐ Your Files ☐ Destroy as Non-Record ☐ Use Your Discretion

REMARKS

PURPOSE (Enter Receiver's Number in Block)	
	Necessary action
	Direct reply
	Consult sender
	Comment or approval
	Your signature
X	Your information
	As you requested
	Circulate
	Full report
	Status report
	See Remarks

Emergency Preparedness

D.C.-44
May 1967

Memorandum ● Government of the District of Columbia

TO: Members, Mayor's Special Events Task Group

Department, Agency, Office:

FROM: Julian R. Dugas, City Administrator

Date: June 17, 1976

SUBJECT: Development of Task Group Plan of Operation, July 1-5, 1976

As we approach the final weeks before the beginning of the July 1-5 special events period, it is important that we complete the Task Group planning and coordination for coverage of these events well in advance of July 1, 1976.

These events will necessitate the active involvement of all of the members of the Task Group, including the District and Federal agencies, and private sector agencies. A formal Plan of Operation will be published for this period.

I am requesting that all Committee Chairmen take immediate steps to coordinate the resource planning with all of the agencies that are members of their Committees. Each Committee will complete an Annex to the Plan, which describes the mission, resource allocation, staffing, and other assistance the Committee will provide under the responsibilities identified in the PLANNING MANUAL FOR SCHEDULED SPECIAL EVENTS.

A draft is attached to this Memorandum which you may use as a guide in the development of your information. The Checklist in the Planning Manual will also be helpful as a guideline to use in completing the Annexes. The completed Annex is to be forwarded to the Director of the Office of Emergency Preparedness by the close of business on Thursday, June 24, 1976. The Annexes will be compiled and published by the Office of Emergency Preparedness in a Plan of Operation "draft" format for distribution to all Task Group members. After review by the Committee heads to make any last minute additions or changes, the final printing of the approved Plan of Operation will be accomplished so that distribution can be made to all participants on Wednesday, June 30, 1976.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Mayor's Special Events Task Group

DC76

AMERICAN REVOLUTION BICENTENNIAL 1776-1976

DRAFT

PLAN OF OPERATIONS

July 1 - 5, 1976

June 28, 1976

DRAFT

GOVERNMENT OF THE DISTRICT OF COLUMBIA
MAYOR'S SPECIAL EVENTS TASK GROUP

PLAN OF OPERATIONS

JULY 1-5, 1976

DRAFT

APPROVED: _____

Julian R. Dugas
City Administrator

DRAFT

GOVERNMENT OF THE DISTRICT OF COLUMBIA

MAYOR'S SPECIAL EVENTS TASK GROUP PLAN OF OPERATIONS

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DRAFT

DRAFT

GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE - MAYOR'S SPECIAL EVENTS TASK GROUP

PLAN OF OPERATIONS

July 1-5, 1976

A. MISSION

The Mayor's Special Events Task Group has been established to help individuals, organizations, and agencies plan, coordinate, and conduct special public events that are expected to attract large crowds in the District of Columbia. The mission of the Task Group is to provide a coordinated and cooperative planning effort in the part of all participants that will result in a successful program. The Task Group guidelines are designed to encourage potential sponsors of public, cultural, and recreational event to have more activities by helping them to plan for, and provide adequate safeguards for public health and safety. Through the resources of the Task Group, ready access to all government agencies that are involved in the coordination, planning, and conduct of special events will be made available to sponsors of these activities.

The Task Group was established by Mayor Walter E. Washington in May, 1975. It is chaired by the City Administrator, Julian R. Dugas, and includes representatives of the District Government, appropriate Federal agencies and representatives from the private sector of the city. The chairman pro tem is Dr. William Rumsey, Director, D. C. Department of Recreation. The Task Group will commit its total resources and staff to the coverage of the events scheduled for the period July 1-5, 1976.

B. EXECUTION

The Task Group is made up of officials representing a wide range of agencies and organizations. The representation includes but is not limited to D. C. Government officials, Federal Government officials and independent agency representatives. In addition to the chairman, there is a chairman pro tem and an administrative support section provided by the Office of Youth Opportunity Services. The Task Group is organized into seven functional committees as follows:

a. Program Committee
b. Security Committee
c. Logistics Committee
d. Capacity of Sponsor Committee

DRAFT

e. Community Participation Committee
f. Public Relations Committee
g. Communications Committee

Each Committee has prepared an Annex to the Plan which lists in detail all of the services, resources, and staff which will be provided in order to accomplish the overall mission of the Committee. The Plan will be accomplished under the general direction of the City Administrator.

The Mayor's Command Center will serve as the main operational control and communications facility during the period of the events.

C. DEPARTMENT AND AGENCY REPRESENTATION

a.	D. C. Armory Board	(AB)
b.	Office of Bicentennial Programs	(OBP)
c.	Community Service (Municipal Planning Office)	(CS/MPO)
d.	Community Relations Service-Department of Justice	(DOJ)
e.	D. C. Office of Emergency Preparedness	(OEP)
f.	Federal City College	(FCC)
g.	D. C. Fire Department	(DCFD)
h.	Office of Human Rights	(OHR)
i.	Department of Human Resources	(DHR)
j.	Metropolitan Police Department	(MPD)
k.	U. S. Park Police	(USPP)
l.	D. C. Public Affairs Office	(PA)
m.	National Park Service	(NPS)
n.	D. C. Public Schools	(PS)
o.	D. C. Department of Recreation	(DR)
p.	D. C. Department of Transportation	(DOT)
q.	Washington Metropolitan Area Transit Authority	(WMATA)
r.	Office of Youth Opportunity Services	(OYOS)

D. THE SPECIAL EVENTS

During this period there are a number of events which will require the active support of the Task Group, and for which the Group will committ resources, equipment, and personnel. The compete listing of all of the events scheduled is included in this Plan as Annex J. Those events which will be supported by the Task Group are referenced in the Individual Annexes.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE-SPECIAL EVENTS TASK GROUP

ANNEX A

AUGMENTATION OF THE MAYOR'S COMMAND CENTER

(Mr. George R. Rodericks, Director, DC/OEP, Tel No. 629-5151)

A. COMMAND AND CONTROL

The Office of Emergency Preparedness supports the Mayor's Special Events Task Group by providing an emergency action control center facility and assured communications systems. The Office of Emergency Preparedness maintains the Mayor's Command Center, Located at Room 5009, Municipal Center, 300 Indiana Avenue, N.W. Telephone No. 629-5151.

The Mayor's Command Center provides for four basic functions:

a. Provide an executive facility for major local emergencies, natural disasters, national emergency situations, and major local scheduled special events.

b. Provide for the collection, analyses, recordation and dissemination of information essential to the Mayor in decision making actions in local emergencies, natural disasters, national emergency situations, and major local scheduled special events.

c. Provide staff for the operation of the Command Center for directing emergency operations in coordinating the use of District Government and/or Mayor's Special Events Task Group resources.

d. Provide staff for working with community organizations, private sector agencies, other D.C. agencies, military and Federal Government agencies to assure maximum availability of resources in an emergency condition and/or during major local scheduled special events.

B. STAFFING

a. Staffing of all command and control, and communication locations will be in accordance with the Communications Committee Annex H.

b. Liaison assignments to the Mayor's Command Center during the period, July 1-5, are being requested as follows. These assignments provide for representation from Mayor's Special Events Task Group Committees as well as individual agencies where appropriate.

1. (listing of Liaison assignments, broken down by scheduled special event, and listed chronologically, July 1-5, 1976. Reporting times, termination times etc.) (Detailed listing to be prepared)

c. Staffing of functions assigned to other Committees are listed in the Annex for that Committee.

C. ESSENTIAL ELEMENTS OF INFORMATION

1. The Mayor's Command Center staff monitors all communication systems for:

a. Medical emergencies

b. People problems as determined by Permit granting agencies, Sponsors of Scheduled Special Events, Mayor's Special Events Task Group field technicians, and Mayor's Command Center staff.

c. Logistical problems including food sanitation, traffic congestion, water supplies, public address systems, parking and unanticipated problems requiring immediate action.

2. The Mayor;s Command Center staff assists the Mayor's Special Events Task Group, permit granting agencies, and sponsors in the amelioration of the conditions described above, upon request or as specified by the Director, Office of Emergency Preparedness.

D. MAYOR'S COMMAND CENTER SECURITY PLAN

The Mayor's Command Center Security Plan will be placed into effect.....

GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE - SPECIAL EVENTS TASK GROUP

ANNEX B

PROGRAM COMMITTEE

(Dr. William H. Rumsey, Chairman, Tel. No. 629-7525)

A. RESPONSIBILITIES

The committee is responsible for the evaluation and on-site monitoring of the program identified by the sponsors of the special event.

B. Short description of scheduled special events to be covered by the Task Group, July 1-5, 1976 (Provided by OEP, Special Events Listing)

C. SERVICES TO BE PERFORMED

1. Task Group field technician, utilization by agency, function, field assignment, (broken down by event, listed chronologically)

   (a) Department of Recreation

      a. Mission

      b. Resources Allocated

      c. Staffing, Supervision, and Contact Information

   (b) Office of Youth Opportunity Services

      a. Mission

      b. Resources Allocated

      c. Staffing, Supervision, and Contact Information

   (c) Municipal Planning Office, Community Services Division

      a. Mission

      b. Resources Allocated

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c. Staffing, Supervision, and Contact Information

(d) Department of Human Resources, Community Care Division

a. Mission

b. Resources Allocated

c. Staffing, Supervision, and Contact Information

(e) Other Agencies

a. Mission

b. Resources Allocated

c. Staffing, Supervision, and Contact Information

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GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE - SPECIAL EVENTS TASK GROUP

ANNEX C

COMMUNITY PARTICIPATION

(Dr. A. Knighton Stanley, Chairman, Tel. No. 727-3090)

A. RESPONSIBILITIES

The committee is responsible for monitoring the activity as it relates to the community's participation and to identify, where appropriate those areas where the community should provide additional support for future event.

B. SERVICES TO BE PERFORMED

1. Community Organizations, private agencies, individuals assisting the Task Group (broken down by event, listed chronologically)

   a. Mission

   b. Resources Allocated

   c. Staffing, Supervision, and Contact Information

2. Office of Bicentennial Programs (broken down by event, listed chronologically)

   a. Mission

   b. Resources Allocated

   c. Staffing, Supervision, and Contact Information

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GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE - SPECIAL EVENTS TASK GROUP

ANNEX D
LOGISTICS
(Mr. Joseph P. Yeldell, Chairman, Tel. No. 629-5443)

A. RESPONSIBILITIES

The committee is responsible for the evaluation of logistical needs for the special event, and to ensure that all areas are planned for, and to recommend the appropriate action to accomplish sound logistical coordination.

B. SERVICES TO BE PERFORMED

1. Environmental health and sanitation and cleanup, water bubblers, etc.
   a. Mission
   b. Resources Allocated
   c. Staffing, Supervision, and Contact Information
2. Transportation plans, Parking restrictions, and Traffic surveillance
   a. Mission
   b. Resources Allocated
   c. Staffing, Supervision, and Contact Information
3. Emergency Health Services (Including Red Cross)
   a. Mission
   b. Resources Allocated
   c. Staffing, Supervision, and Contact Information

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4. Sponsor Logistics

   a. Mission

   b. Resources Allocated

   c. Staffing, Supervision, and Contact Information

5. Task Group field coordination, special services, and volunteer arrangements

   (a) Task Group field coordination

      a. Mission

      b. Resources Allocated

      c. Staffing, Supervision, and Contact Information

   (b) Task Group special services (including lost and found, feeding of workers, public address systems)

      a. Mission

      b. Resources Allocated

      c. Staffing, Supervision, and Contact Information

   (c) Task Group volunteer arrangements and utilization

      a. Mission

      b. Resources Allocated

      c. Staffing, Supervision, and Contact Information

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GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE-SPECIAL EVENTS TASK GROUP

ANNEX E

SECURITY COMMITTEE

(Assistant Chief Burtell Jefferson, Tel No. 626-2775)

A. RESPONSIBILITIES

The committee is responsible for the security details, and fire services at the special event site.

B. SERVICES TO BE PERFORMED

1. Metropolitan Police Department

   a. Mission

   b. Resources Allocated

   c. Staffing, Supervision, and Contact Information

2. United States Park Police

   a. Mission

   b. Resources Allocated

   c. Staffing, Supervision, and Contact Information

3. Other police agencies (Capitol police, EPS, FPS, VIP arrangements as required)

   a. Mission

   b. Resources Allocated

   c. Staffing, Supervision, and Contact Information

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4. Military resource organizations (MDW, DOMS, DCNG)

   a. Mission (or status during the July 1-5 period)

   b. Resources Allocated

   c. Staffing, Supervision, and Contact Information

5. D.C. Fire Department

   (a) Fire suppression

   a. Mission

   b. Resources Allocated

   c. Staffing, Supervision, and Contact Information

   (b) Ambulance services

   a. Mission

   b. Resources Allocated

   c. Staffing, Supervision, and Contact Information

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GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE-SPECIAL EVENTS TASK GROUP

ANNEX F

PUBLIC RELATIONS COMMITTEE

(Mr. Sam Eastman, Chairman, Tel No. 629-2577)

A. RESPONSIBILITIES

The committee is responsible for monitoring the news media output to determine the adequacy and correctness of information released to the general public.

B. SERVICES TO BE PERFORMED

1. Office of Public Affairs (coordination, broken down by event, listed chronologically)

   a. Mission

   b. Resources Allocated

   c. Staffing, Supervision, and Contact Information

2. Metropolitan Police Department, Public information office

   a. Mission

   b. Resources Allocated

   c. Staffing, Supervision, and Contact Information

3. Office of Emergency Preparedness, Mayor's Command Center

   a. Mission

   b. Resources Allocated

   c. Staffing, Supervision, and Contact Information

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4. Other agency public information activities (where appropriate for July 1-5, 1976)

   a. Mission

   b. Resources Allocated

   c. Staffing, Supervision, and Contact Information

5. Sponsor public information activities (Happy Birthday USA, People's Bicentennial Commission, etc)

   a. Mission

   b. Resources Allocated

   c. Staffing, Supervision, and Contact Information

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GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE-SPECIAL EVENTS TASK GROUP

ANNEX G

CAPACITY OF SPONSOR COMMITTEE

(Mr. Julian R. Dugas, Chairman, Tel No. 629-4711)

A. RESPONSIBILITIES

The committee is responsible for monitoring the activity at the special event site.

B. SERVICES TO BE PERFORMED

1. Scheduled special events, listing of permit granting agency responsible officials, and sponsoring organizations, responsible persons.

   a. Scheduled Special Event

   b. Permit Granting Agency, responsible officials in charge and contact information

   c. Sponsoring organization, responsible persons in charge, and contact information

2. Executive Office of the Mayor

   a. Mission

   b. Resources Allocated

   c. Staffing, Supervision, and Contact Information

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GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE - SPECIAL EVENTS TASK GROUP

ANNEX H

COMMUNICATIONS COMMITTEE

(Mr. George R. Rodericks, Chairman, Tel. No. 629-5151)

A. RESPONSIBILITIES

The committee is responsible for determining the type and amount of equipment required to maintain necessary communications capability between the Mayor's Special Events Task Group, Permit Granting Agencies, Sponsors, and Mayor's Command Center Staff.

B. SERVICES TO BE PERFORMED

a. Scheduled Special Events (listed chronologically)

(a) Field coordination arrangments

(b) Resources allocated and assignment of equipment ot Task Group

b. Staffing (Mayor's Command Center, July 1-5, 1976)

Watch Officer coverage only-

1 July

0600-1430	O. Urquidi
1600-2400	B. Finch

2 July

0600-1430	E. J. Carter
1600-2400	B. Finch

3 July

0001-1200	E. J. Carter
1200-2400	B. Finch

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3 July (cont.)

0700-1900

R. Bottorff	Office of the Director
A. Billings	Office of the Director
K. McNaughton	Operations Officer
B. Childs	Communications Operator
B. Childs	Operations Assistant
J. Colbert	Field Operations Officer
O. Urquidi	Field Communications, Van #1
I. Williams	Communications, Van #1
J. McGregor	Field Communications, Van #2
G. Green	Communications, Van #2
J. Carrahar	Field Communications, Sedan #1
R. Smith	Communications, Sedan #1
T. Medlock	Office of the Director/Operations

4 July

0001-1200	J. Carter	Watch Officer
0700-1900	R. Bottorff	Office of the Director
0700-1900	A. Billings	Office of the Director
0700-1900	J. McGregor	Operations Officer until 1200, Field Communications-1200-1900, Sedan #1
	G. Kirby	Operations Assistant
	J. Carraher	Field Communications, Van #1
	R. Smith	Field Communication, Van #2
1200-2400	O. Urquidi	Operations Officer
1200-2400	K. McNaughton	Field Operations Officer
1200-2400	B. Childs	Field Communications-Trailer
1200-2400	I. Williams	Operations Assistant
1200-2400	J. Colbert	Office of the Director, (Field Duty until 1800--- Office of the Director 1800-2400)
1200-2400	G. Green	Operations Assistant, (Operations Assistant until 1800--- Office of the Director 1800-2400)

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4 July (cont.)

1200-2400	T. Medlock	Office of the Director/Operations
1200-2400	B. Finch	Watch Officer

5 July

0001-0800	E. Carter	Watch Officer
0800-1630	J. McGregor	Watch Officer
1600-2400	B. Finch	Watch Officer

c. Communications Procedures (To be completed)

GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE-SPECIAL EVENTS TASK GROUP

ANNEX I

DISTRIBUTION LIST	Number of Copies
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Assistant Chief Bertell Jefferson, Chairman, Security Committee	5
Mr. Joseph P. Yeldell, Chairman, Logistics Committee	4
Mr. George R. Rodericks, Chairman, Communications Committee	3
Mr. Sam Eastman, Chairman, Public Relations Committee	3
Mr. Julian R. Dugas, Chairman, Capacity of Sponsor Committee	3
Dr. A. Knighton Stanley, Chairman, Community Participation Committee	6
Major General C.C. Bryant, Commanding General, DC National Guard	5
Chief, Maurice J. Cullinane, Metropolitan Police Department	1
Chief, Burton W. Johnson, DC Fire Department	1
Mr. Comer S. Coppie, Director, OBFM	1
Mr. Sterling Tucker, Chairman, City Council	1
Mr. Marion Barry, Council Member, DC City Council	1
Mr. Julius W. Hobson, Sr, Council Member, DC City Council	1
Rev. Douglas E. Moore, Council Member, DC City Council	1
Mr. David A. Clarke, Council Member, DC City Council Ward 1	1
Mr. John A. Wilson, Council Member, DC. City Council, Ward 2	1
Ms. Polly Shackleton, Council Member, DC City Council, Ward 3	1

Mr. Arrington Dixon, Council Member, DC City Council, Ward 4	1
Mr. William R. Spaulding, Council Member, DC City Council, Ward 5	1
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Mr. Delbert C. Jackson, DC Department of Corrections	1
Mr. Vincent C. Reed, Supt, DC Schools	1
Mr. Herbert Tucker, Acting Director, Department of Environmental Service	1
Mr. Sam D. Starobin, Director, Department of Genreal Services	1
Mr. Douglas Schneider, Director, Department of Transportation	1
Mr. Herb Leonard, Info. Specialist, METRO	1
Honorable Walter E. Fauntroy, House of Representatives	1
Chief Jerry Wells, US Park Police	2
Dr. Ervine W. Wallach, Director, Office of Criminal Justice Plans and Analysis	1
DC Office of Emergency Preparedness	15
Mr. Abner Bradley, National Park Service	1
Mr. Art Lamb, National Park Service	1
Mr. Henry Mitchum, Community Relations Service (DOJ)	1
Captain Fred S. Grant, Federal Protective Service	1
Mr. Thornel Page, Federal City College	1

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Curtis Taylor, Operation and Resource Specialist, (OYOS)	2
Sam Jordan, Department of Human Resources	2
Mary Berkeley, Department of Human Resources	2
Carl Pace, Department of Enviromental Services	2

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SPECIAL EVENTS

WHEN	WHAT	WHO	WHERE	WHY
Thursday - 1 0800 to 1300	SPECIAL EVENT (A)	Smithsonian Institution / National Air & Space Museum Sponsors indicate 4,000 persons may participate	The Mall (between 12th & 1st Streets on Jefferson Drive) Permit on file	Public opening ceremony for the National Air and Space Museum
Thursday - 1 0900 to 1600	SPECIAL EVENT (B)	Historical Society of the Militia & National Guard	1 Massachusetts Avenue, NW	Opening of the National Guard Heritage Gallery which relates the story of the growth of the National Guard
Thursday - 1 thru Monday - 4 0900 to 1700 daily	SPECIAL EVENT (C)	Southern Baptist Brotherhood Convention	Quality Inn / Capitol Hill (415 New Jersey Avenue, NW)	Christian Citizenship '76 Project of Memphis for Southern Baptist Boys, ages 15 to 18 years of age

ANNEX J - SPECIAL EVENTS

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JULY 1976

SPECIAL EVENTS

WHEN	WHAT	WHO	WHERE	WHY
Thursday - 1 thru Thursday - 22	SPECIAL EVENT (D)	American Christian Heritage Association Sponsors indicate 5,000 persons may participate	The Ellipse (Eastern Quadrant) Permit on file	Expression of First Amendment Rights of religious freedoms through Bicentennial exhibit
Thursday - 1 1130 to 1430	SPECIAL EVENT (E)	California Cavalcade of Bands (Pasadena, California) Sponsors indicate 2,000 persons may participate	Constitution Avenue between 14th & 15th Streets and march to the Capitol Reflecting Pool Gathering Permit on file - Application for Parade on file	Bicentennial Parade and Concert
Friday - 2 0900 to 2100	DEMONSTRATION (F)	National Youth Pro-Life Coalition Sponsors indicate 200 persons may participate	Lafayette Park and the White House sidewalk Permit on file	Commemorative Bicentennial awareness urging America to respect all human life in our next one-hundred years

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SPECIAL EVENTS

WHEN	WHAT	WHO	WHERE	WHY
Saturday - 3 0800 to 1500 (1100 to 1300)	SPECIAL EVENT (Parade) (1)	Happy Birthday, U.S.A.! Committee Sponsors indicate 5,000 marchers, 50 bands, 20 floats and 500,000 spectators will participate	Constitution Avenue between 7th & 17th Streets Permit on file	American Bicentennial Grand Parade
Saturday - 3 0800 to 1500	SPECIAL EVENT (2)	National Socialist White Peoples Party Sponsors indicate 1,500 persons may participate	Lafayette Park (Northeast corner) Permit on file	Bicentennial Celebration. Public Rally
Saturday - 3 1300 to 1700	SPECIAL EVENT (3)	Save the People Sponsors indicate 200 persons may participate	Lafayette Park Application to Gather on file	Recognition of the Bicentennial
Saturday - 3 1000 to 1200	SPECIAL EVENTS (4)	Sandford Jentekor Sponsors indicate 100 persons may participate	Lincoln Memorial (Reflecting Pool Steps) Permit on file	Bicentennial Concert by the Norway's Girls' Choir

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SPECIAL EVENTS

WHEN	WHAT	WHO	WHERE	WHY
Saturday - 3 1700 to 2100	SPECIAL EVENT	The Navigators (Columbia, Maryland) Sponsors indicate [illegible] persons may participate	Lincoln Memorial (Reflecting Pool Steps) Permit on file	Patriotic Religious Meeting
Saturday - 3 2100 to 2230	SPECIAL EVENT	Honor America Committee Sponsors indicate 2,000 persons will participate (Full House)	Concert Hall - J.F. Kennedy Center	Bicentennial Musical
Saturday - 3 and Sunday - 4	SPECIAL EVENT	Cellar Door Productions (Additional details later)	R F K Stadium	Concert - featuring Earth, Wind & Fire, Barclay Lewis and others
Saturday - 3 thru Monday - 5	LITURGY and FESTIVAL CONCERTS (open house)	Washington National Cathedral Nation Day Observance	Washington National Cathedral	Suitable celebration for the Nation's 200th Birthday

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JULY 1976

SPECIAL EVENTS

WHEN	WHAT	WHO	WHERE	WHY
Sunday - 4 0600 to 0800	SPECIAL EVENT (A)	D. C. Downtown Cluster of Churches Sponsors indicate 250 persons may participate	Lincoln Memorial (Reflecting Pool Steps) Permit on file	Ecumenical religious service celebrating the Bicentennial
Sunday - 4 0800 to 0900 1100 to 1800	SPECIAL EVENT (B) Rally (C)	People's Bicentennial Commission Sponsors indicate 250,000 persons may participate throughout the day	Jefferson Memorial Steps & Area facing the Tidal Basin (followed by a march to the west steps of the Capitol) Capitol - West Steps East end of the Mall (between 1st & 7th Streets) Permits have been issued	Inter-religious Service which will commemorate people who have demanded that the democratic vision of the American Revolutio be carried out -- Rally against "the Tories of our time - the huge multinational companies - big business"

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JULY 1976

SPECIAL EVENTS

WHEN	WHAT	WHO	WHERE	WHY
Sunday - 4 0800 to 2400	SPECIAL EVENT (D)	National Visitors Center / National Capital Parks Sponsors indicate 50,000 persons will participate	Union Station National Visitor Center & Columbus Plaza Permit on file	Grand Opening of the National Visitor Cer
Sunday - 4 thru Saturday - 28 Aug. 0700 to 1800 daily	DEMONSTRATION (E)	Northern Piedmont, Va. - National Organization for Women (NOW) Chapter Sponsors indicate fifteen persons may participate daily	South 1600 Penna. Avenue & sidewalk between East and West Executive Drives, NW Application to Gather on file	To demonstrate for the Equal Rights Amendment (ERA) to the Constitution (passed by the U.S. Congress and being ratified by the States
Sunday - 4 1800 to 2400	SPECIAL EVENT (F)	Mayor's Fourth of July Committee / Happy Birthday, USA! Committee / National Park Service Sponsors indicate 300,000 persons will participate	Washington Monument Grounds Permit on file	Bicentennial 4th of July Celebration featuring: Pageant of Freedom / Torchlight Tattoo / Bicentennial Address by the Vice President / Firework Display

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JULY 1976

SPECIAL EVENTS

WHEN	WHAT	WHO	WHERE	WHY
Sunday - 4 1930 to 2030	SPECIAL EVENT (G)	U. S. Marine Corps Sponsors indicate 1,000 persons may participate	Iwo Jima Memorial (Arlington, Virginia) Permit on file	Bicentennial Parade and Concert
Sunday - 4 Time to be set	SPECIAL EVENT (H)	Office of the Architect of the Capitol	The Architect's Office	A formal opening ceremony of the Centennial Safe presented to the U. S. Congress in 187[illegible]
Monday - 5 1100 to 1600	SPECIAL EVENT	Happy Birthday, USA!, Inc.	Multiple sites around the Nation's Capital	Salute to America & Family Picnic Day (celebrities, clowns & wandering minstrels

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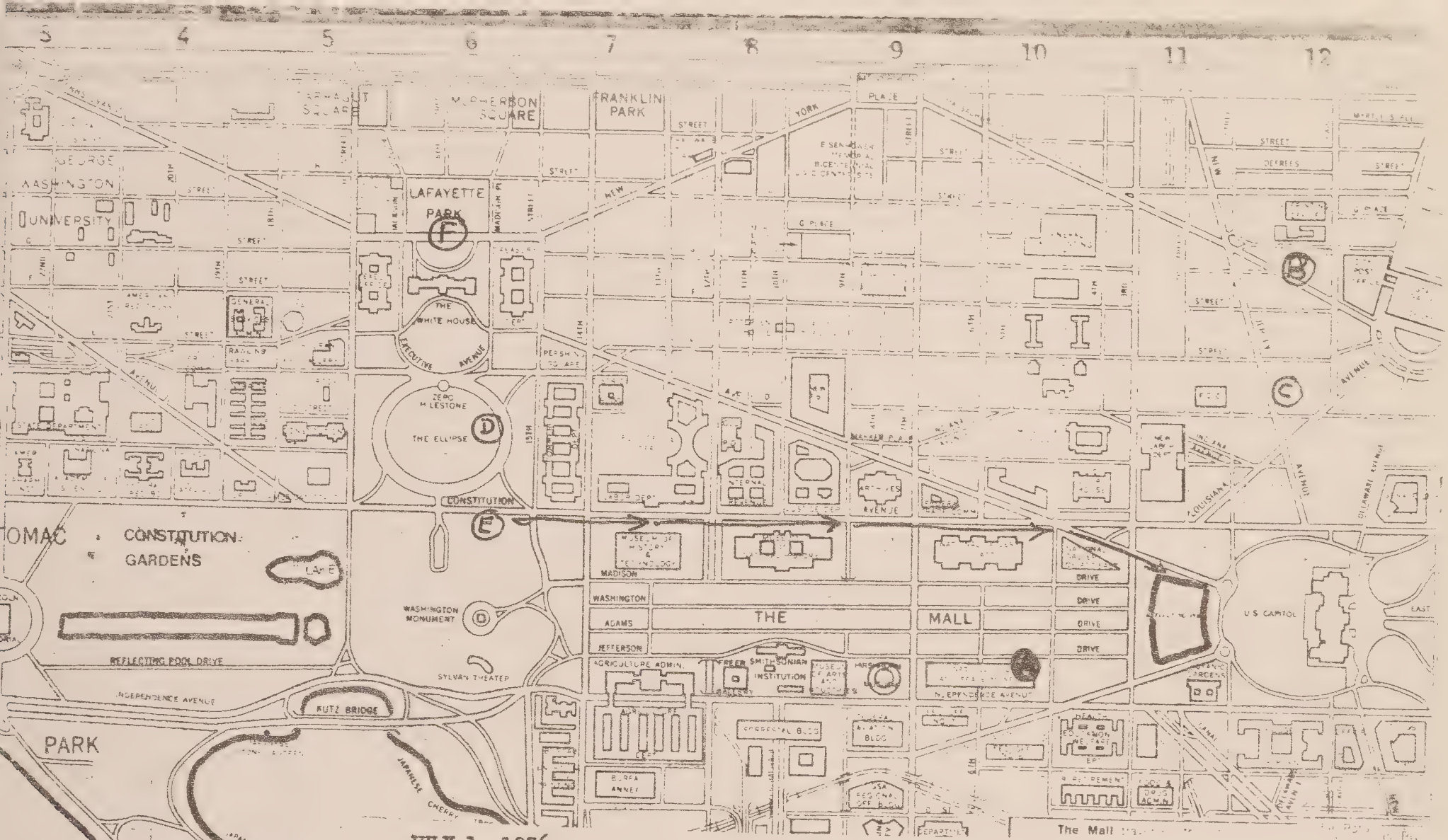


JULY 1, 1976

A-Natl. Air & Space Museuem Opening Ceremony
0800-1300

B- National Guard Heritage Gallery Opening Ceremony
0900-1600

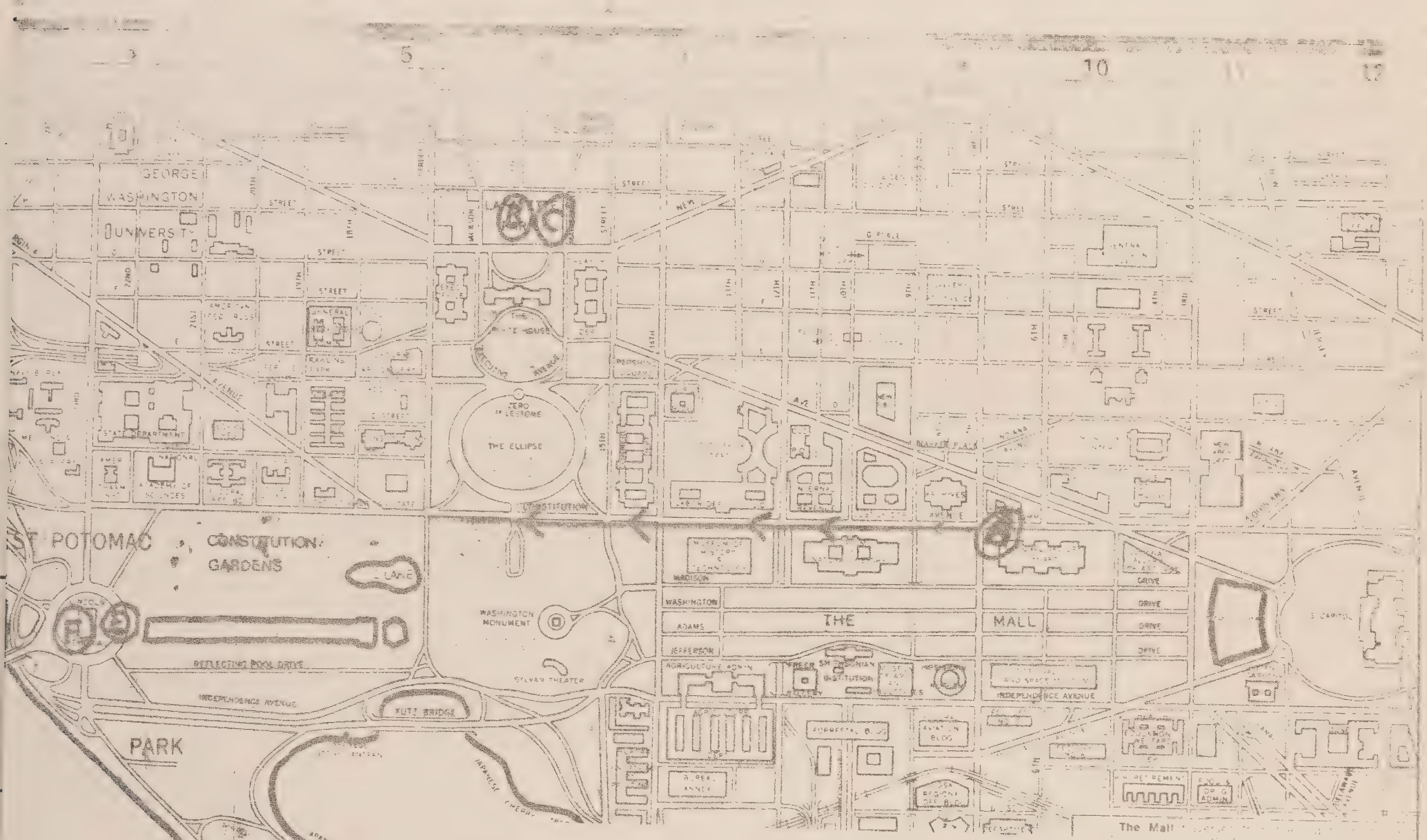
C- Southern Baptist Brotherhood Convention
0900-1700 Daily

D-American Christian Heritage Assn. Exhibit

E- California Cavalcade of Bands
Parade - 1130-1430

July 2, 1976

F- Natl. Youth Pro Life Coalition
0900-2100



JULY 3, 1976

A-Happy Birthday USA Parade
1100-1330

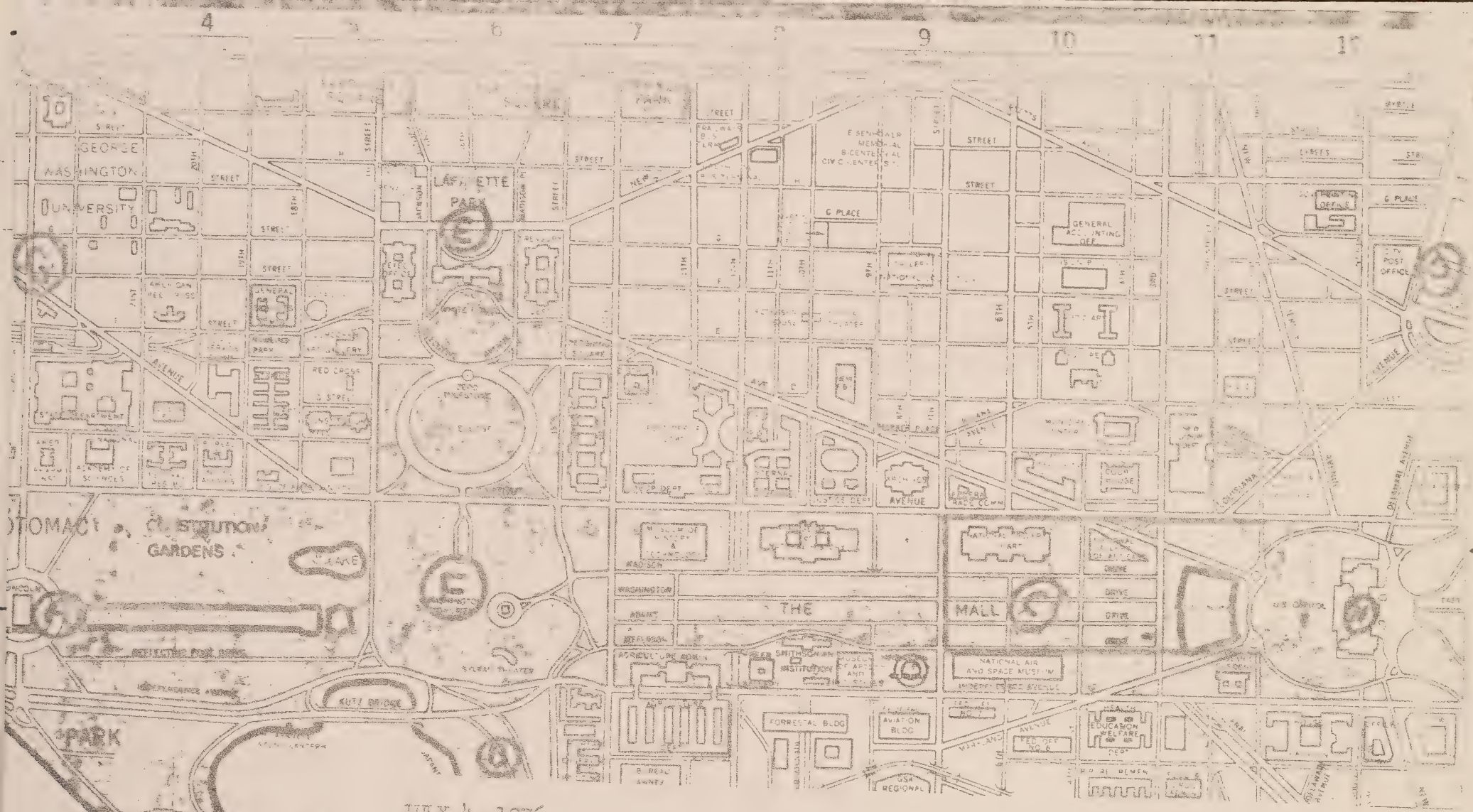
B- National Socialist White People's Party, Demonstration
1130-1630

C- Save the People, Rally
1300-1700

E.- Sandefjord Jentekor, Concert
1000-1200

F - The Navigators, Religious Meeting
1700-2100

G - Honor America Committee, Musical
2100-2230



JULY 4, 1976

A- D.C. Downtown Cluster of Churches
0600-0800

B- People's Bicentennial Commission,
Inter-religious Service
0800-0900

C- People's Bicentennial Commission
Demonstration

D- National Platform Parade Start
0900-1000

E.-N. Piedmont Va. - National Organization of Women (NOW) Chapter, Demonstration
0700-1000

F- Happy Birthday USA - Fireworks, Mus[illegible]
1800-2400

G- U.S. Marine [illegible] Concert
1000-2000

H- [illegible]
[illegible]
[illegible]
[

JUNE 1976

SPECIAL EVENTS

WHEN	WHAT	WHO	WHERE	WHY
Tuesday - 22 1200 - 1400 1530 - 1730 1600 - 2100	SPECIAL EVENT	Mayor's Office of Bicentennial Programs	Farragut Square and Dupont Circle Mall Area (9th Street and Madison Avenue S.W.) Lincoln Memorial Public Gathering Permit on File	Celebration of State Days Minnesota
Tuesday - 22 1400 - 1500	SPECIAL EVENT	Lawrence Mercer County Stage Band (Mercer County, New Jersey) Sponsors indicate seventeen (17) Band Members to Participate	The Ellipse Permit on File	Public Band Concert
Wednesday - 23 1800 - 2100	BASKETBALL GAME	D.C. Department of Recreation	Anacostia Pavillion Anacostia Park	Kick-off game of the city league co-sponsored by the D.C. Deptment of Recreation, Coca-Cola, and The Washington Post.

JUNE 1976

SPECIAL EVENTS

WHEN	WHAT	WHO	WHERE	WHY
Thursday - 24 1800 - 2000	SPECIAL EVENT	Silver Spurs Boosters (Spokane, Washington) Sponsors indicate Thirty-two (32) persons may participate	Lincoln Memorial (Reflecting Pool Steps) Permit on File	Folk Dance Performance for the Bicentennial
Saturday - 26 1400 - 1700	SPECIAL EVENT	Metropolitan Christian Center Sponsors indicate Forty (40) persons may participate	Jefferson Memorial (Band Shell) Permit on File	Patriotic Concert in Voice
Tuesday - 29 1000 - 1100 1400 - 1500 1900 - 2000	SPECIAL EVENT	First Baptist Church (Dallas, Texas) Sponsors indicate One-hundred fifty (150) may participate	Lincoln Memorial (Reflecting Pool Steps) Permit on File	Bicentennial Patriotic Concerts

JUNE 1976

SPECIAL EVENTS

WHEN	WHAT	WHO	WHERE	WHY
Tuesday - 29 1200 - 1400 1530 - 1730 1600 - 2100	SPECIAL EVENT	Mayor's Office of Bicentennial Programs	Farragut Square and Dupont Circle Mall Area (9th Street and Madison Avenue S.W.) Lincoln Memorial Public Gathering Permit on File	Celebration of State Days California
Wednesday - 30 1800 - 2000	SPECIAL EVENT	East Fairmont High School (West Virginia) Sponsors indicate Thirty-two (32) persons may participate	Lincoln Memorial (Reflecting Pool Steps) Permit on File	Musical Program

JULY 1976

SPECIAL EVENTS

WHEN	WHAT	WHO	WHERE	WHY
Sunday - 4 1230 - 1400	SPECIAL EVENT	Neighborhood Planning Council Sponsors indicate One-thousand (1,000) persons may participate	Assemble at Whitehaven Parkway and MacArthur Blvd., N.W., proceed North on MacArthur Blvd. to Edmonds Place N.W., West to Sherrier Place N.W., South to Dana Place N.W., West into Polisades Playground. Parade Permit on File	Bicentennial Parade
Sunday - 4 1430 - 1600	SPECIAL EVENT	Kraft Opinion Research Center Sponsors indicate Fifty (50) persons may participate	Assemble at 6th & A Sts., S.E., proceed West on A Street to 5th Street North on 5th Street to Constitution Avenue N.E. East on Constitution Avenue to 7th Street N.E. South on 7th Street to A Street S.E., West on A Street to 6th Street S.E. and disband. Application for Parade Permit on File	Bicentennial Parade

JULY 1976

SPECIAL EVENTS

WHEN	WHAT	WHO	WHERE	WHY
Monday - 5 2030 - 2200	SPECIAL EVENT	National Concert Band of America Sponsors indicate Fifty-five (55) persons may participate	Jefferson Memorial Public Gathering Permit on File	Symphonic Band Concert
Friday - 16	SPECIAL EVENT	Town Affiliation Association of the U.S. (Sister Cities International) Sponsors indicate Eighty (80) persons may participate	Washington Monument Grounds (17th Street Stage) Public Gathering Permit on File	Musical and Dance Entertainment by Group from Austria

COUNCIL OF THE DISTRICT OF COLUMBIA

WASHINGTON, D. C. 20004

JULIUS W. HOBSON
Councilman at Large

December 10, 1976

Dr. Therman Evans
President
D.C. Board of Education
The Presidential Building
415 12th Street, N.W.
Washington, D.C. 20004

Dear Dr. Evans:

Because of the opportunities for self determination for D.C. citizens -- unbelievable a decade ago -- I have recently suggested to all PTA Presidents that they encourage special student studies and activities on political options for the future.

Parents and youngsters can learn together the pros and cons of statehood, of a constitutional amendment providing additional Congressional representation, or of alternative suggestions for self-government. One day soon they will vote - and their vote will determine the political direction of D.C. for decades to come.

I hope you will support and encourage some of the activities I have outlined to PTA Presidents in the enclosed letter. I'm sure you can suggest others. How can the D.C. Council help?

Sincerely,

Julius W. Hobson
Chairman
Committee on Education,Recreation & Youth Affairs

cc: Board of Education Members
Superintendent of Schools

Enclosures

DISTRICT OF COLUMBIA CITY COUNCIL
COUNCILMEMBER JULIUS W. HOBSON
WASHINGTON, D.C. 20004

Dr. Therman Evans
President
Board of Education
The Presidential Building

Type in final draw with Julius (check carefully for grammar, spelling etc.), have Julius sign & duplicate — mail Friday. Mail X-mas cards 3-4 days after this letter is mailed.

COUNCIL OF THE DISTRICT OF COLUMBIA

WASHINGTON, D. C. 20004

JULIUS W. HOBSON
Councilman at Large

improved

December 6, 1976

Dear PTA Presidents:

Within the next few years D.C. citizens will vote on the political rights and practices of generations yet unborn. The arguments on statehood vs. increased Congressional representation vs. status quo are confusing and sometimes overwhelming for adults (see Post and Star articles enclosed) as well as for students.

Now is the time for our young people to learn the strengths and limitations of each proposed form of self-determination for many major decisions affecting our lives will be made in the immediate future, with or without our knowledgeable participation. Therefore, I hope you will encourage your school to include a focus on political options for the future in the daily social studies/government curriculum. Self-government can be an exciting concept --and students can evaluate options and also educate their families and other adults. Some suggestions which could be included as you might want to consider in the proposed D.C. History Curriculum Project.

- In Grammar School students can learn how the 50 states became part of the Union -- what was the process? How did the government structure change and what did it mean to the citizens?

  Students should learn early about the Constitution and what process an amendment requires, in terms of ratification. In the event increased Congressional representation for the District of Columbia is proposed, as an amendment, students should understand this procedure. process.

  What is the current structure of the D.C. government? What are the strengths and weaknesses when compared to other U.S. State and local governments?

- Junior High and High School students can participate in the same kind of learning program but

and debate topics.

Encouraging D.C. students to participate in the definition and direction of their own future through a study of history and government should be a priority during the next few years. I'm sure your school will have unique ideas for field trips ~~and~~, discussions. If ~~I~~ can be of help in any way, ~~please~~ feel free to contact my office. It is essential that we ~~encourage~~ provide an opportunity for students to evaluate political options -- for young people will play an important role in determining our future. If I can be of help in this effort please contact my office.

Sincerely,

JULIUS W. HOBSON
Chairman
Committee on Education,
Recreation and Youth Affairs

Enclosures

cc: Board of Education
Superintendent of Schools

knowledgable participants in the political arena; however, their impact will be minimal if they are unaware of options -- ~~and choices~~ the costs and ~~the~~ responsibilities of each.

(In fact, Ms. Minor of my staff was invited to a December 7 meeting of the D.C. History Curriculum Project sponsored by ~~the~~ Division of Instructional Services)

I understand that the public schools are already developing curricular materials on the history of the District of Columbia. I strongly encourage the inclusion of historic materials, ~~but without neglecting~~ but with a strong focus on political options for the future ~~in our school's curriculum,~~ -- particularly at the junior and senior high school levels. Students could ~~even~~ be given special projects for study and debate, including research on the pros and cons of statehood and the process through which the 50 states have joined the Union.

The public schools are the best means we have to reach our younger generation and provide them with an enthusiasm and understanding of "~~freedom~~ self-determination"--what it means and what it costs. I hope that your ~~academic curriculum~~ D.C. History Curriculum Project will include a thoughtful and accurate discussion of the political past, present and future of Washington, D.C.. The topic of self-government and statehood ~~should~~ must be examined and debated by teh young people who ~~can~~ can also help to educate their parents ~~to~~ in evaluating opportunities for self-determination ~~we never~~ no one believed possible a decade ago. I have written PTA Presidents and the Board of Education members of (letter enclosed) with some suggestions and ideas. I hope these thoughts, and others, will be seriously considered by ~~your administration~~ members of the Board.

Sincerely,
JWH
Chairman, E,R, &YA

cc: S/S
m/b.

Enclosures

E/Bd.

Type in final -- clear with Julius - but clear final with me before duplicating.

also check (proof) letter with Pat / Sandy / Lorraine if possible.

Mr. Vincent E. Reed
Superintendent
D.C. Public Schools

Dear Vince:

The public Schools are better suited to examine, analyze, teach and ultimately debate the issues of full citizenship than any other institution in the city. An appraisal of our local political picture, how it has been influenced by past historical events, and what the options are for the future should be an exciting area of study during the next few years. As one successful campaigner carrying the Statehood Party banner, I have been amazed and frustrated by the lack of ~~knowledge~~ basic facts the citizens of our city have regarding the political history of Washington and the potential for full self-determination. You may be interested in the enclosed Post editiorial and my letter to the Star ~~published~~ that.

Many people don't know that a century ago Washington had more freedom from Congressional control than today; that Washington has had a colorful political history since its beginning; and that there was a time that national politics did not overshadow local issues and concerns.

Our young people represent our future and part of that future are the political decisions which must be made during the next few years. Our students can become

could also plan and conduct a mock "Constitutional Convention", electing their own representatives and submitting the proposed "Constitution" to the total student body for a vote. Both adults and students could learn a great deal through this process -- including whether or not we can really afford Statehood; Many critics imply we cannot. Students should be encouraged to evaluate the options.

next Spring

Some States conduct annual student mock "legislative" sessions. California has been conducting such a program for some thirty years under the title, Boys & Girls State. The local American Legion, in partnership with the Department of Education, sponsors a statewide program for high school juniors. This week long program includes the election of a governor and other elected offices. Legislative sessions are conducted where the delegates debate and vote on their own ~~original pieces of~~ proposed legislation.

, for instance, Private organizations,

reason why D.C. high student and administrators should not participate in a develop similar citizenship program for citizenship training. We would all benefit.

December 6, 1976

Dr. Therman Evans
President
D.C. Board of Education
415 12th Street, N.W.
Washington, D.C. 20004

Dear Dr. Evans:

Because of the opportunities for self determination for D.C. citizens -- unbelievable a decade ago -- I have recently suggested to all PTA Presidents that they encourage special studies and activities ~~in the social studies area~~. Parents and youngsters can learn together the pros and cons of statehood, of a constitutional amendment providing additional Congressional representation, or of alternative suggestions for self-government. One day soon they will vote - and their vote will determine the political direction of D.C. for decades to come.

I hope you will support and encourage some of the activities I have outlined to PTA Presidents in the enclosed letter. I'm sure you can suggest others. How can ~~we on the~~ Council help?

Sincerely,

Julius W. Hobson
Chairman
Committee on Education, Recreation
and Youth Affairs

cc: Board of Education Members
Vincent Reed

Enclosures

January 10, 1977

Dr. Therman Evans
President
Board of Education
The Presidential Building
415 12th Street, N.W.
Washington, D.C. 20004

Dear Dr. Evans:

On Monday, January 3, 1977, I introduced the "Educational Accountability Act of 1977" which requires the Board of Education to develop and implement a program of educational accountability for the public schools in the District of Columbia.

Specifically, Bill 2-3 mandates the articulation of educational goals at all levels of public education, of curriculum development to facilitate skill acquisition, establishment of standards for advancement and graduation, establishment of procedures to evaluate local school performance and annual reporting to the Mayor, Council and citizens.

I am committed to insuring that the children of the District of Columbia attain the necessary skills to function in today's society. Through the establishment of and adherence to achievement standards we can begin to insure all students minimum competencies in the communications, reading, writing and mathematical skill areas, as well as others that the Board of Education shall determine. Bill 2-3 is designed to support full policy determination on educational issues by the Board of Education. It's mandate clearly focusses on the Board of Education as the responsible body for the establishment of citywide educational goals, objectives, and achievement standards. Furthermore, it requires regular reporting by the Board of Education of the educational status of each school in the District of Columbia.

I look forward to discussing this matter with you and urge your comments.

Sincerely,

Julius W. Hobson
Chairman
Committee on Education, Recreation & Youth Affairs

cc: Members, Board of Education
Superintendent of Schools

January 10, 1977

Dear Concerned Citizen:

On Monday, January 3, 1977, I introduced the "Educational Accountability Act of 1977," which is designed to provide the impetus for the improvement of education in the District of Columbia. I am committed to the young people of this city and their attainment of the critical reading, writing, communication and computational skills which are requisite for successful participation in today's world.

Bill 2-3 requires specifically that the Board of Education establish system-wide goals, objectives and minimum achievement standards for promotion and graduation; it further requires that the Board regularly report on the School System's progress in meeting these objectives, including each local school's relative achievement levels. With such information available to the citizens of this city, public support can be generated to help to correct deficiencies which currently exist in the District of Columbia's public schools.

I have attached a copy of Bill 2-3 and a background statement which outlines in greater detail what the bill can do for our young people. I urge your comments and support on this critical piece of legislation.

Sincerely,

JULIUS W. HOBSON
Chairman
Committee on Education, Recreation & Youth Affairs

Attachments

ERYA
Com

January 13, 1977

MEMORANDUM FOR: Chairman Sterling Tucker

SUBJECT: Committee Staff

Under the current committee structure, the Committee on Education, Recreation and Youth Affairs was assigned additional oversight responsibilities, most notably the University of the District of Columbia. It is my understanding that some staff positions will have to be realigned to complement the new committee structure.

Therefore, I would like to request that any positions formerly assigned to the Special Committee on the University of the District of Columbia be transferred to the Committee on Education, Recreation and Youth Affairs to perform the additional staff work which expansion of my Committee's scope will produce.

Julius W. Hobson
Chairman
Committee on Education, Recreation & Youth Affairs

Members, Committee on Education, Recreation & Youth Affairs

Julius W. Hobson, Chairman

January 14, 1977

ERYA Committee Meeting

The Committee on Education, Recreation and Youth Affairs will meet on every other Tuesday at 10:00 A.M. in Room 501. during the current Council period. The first organizational meeting will be held on January 18, 1977. A copy of the agenda is provided for your information.

Attachment

TO: I N T E R E S T E D C I T I Z E N S

FROM: PETER EVFLETH, CHAIRMAN
ECONOMIC DEVELOPMENT COMMITTEE
ADVISORY NEIGHBORHOOD COMMITTEE 6B

SUBJECT: REPORT AND RECOMMENDATIONS ON THE FUTURE USE AND DEVELOPMENT OF THE EASTERN MARKET

Enclosed is a copy of the Report and Recommendations of the Economic Development Committee of the Advisory Neighborhood Commission 6B on the future use and development of the Eastern Market.

There will be a Community Forum devoted to this Report which you of your organization may wish to attend. At the conclusion of the Forum, ANC 6B will vote on whether to adopt the Report.

PLACE: NATATORIUM, 7th and No.Carolina Ave.,S.E.

DATE: Saturday, January 22,1977

TIME: 3:00 P.M.

RECEIVED
JAN 21 1977
Julius Hobson, Sr
Councilmember-At-Large

THE USE AND DEVELOPMENT OF THE EASTERN MARKET

Report and Recommendations of the
Economic Development Committee
to Advisory Neighborhood Commission 6B

Commissioner Peter Eveleth, Chairman
Economic Development Committee

Commissioner Diane Della-Loggia
Commissioner Jan Eichhorn
Commissioner Juanita Thomas, Commissioner-Members

Commissioner Ellen Seidman, Chairman
Planning and Zoning Committee

Alice Bellis
Jack Blanchard
Eugene Dix
Suzanne Holton
Vicki Piloseno
Janet L. Scholl
Robert Stevens
David Weinstein,
Members

Chris Pine,
Advisor to the Committee

January, 1977

SUMMARY OF ANC SURVEY RESULTS ON THE EASTERN MARKET TOGETHER WITH THE SUMMARY OF RECOMMENDATIONS OF THE ANC ECONOMIC DEVELOPMENT COMMITTEE REGARDING THE FUTURE USE OF THE EASTERN MARKET.

I. EASTERN MARKET SURVEY RESULTS

The following is a summary of the results of the ANC SURVEY completed by 646 respondents regarding the use of the Eastern Market and Market V Gallery. The survey was conducted during the period of June - November 1976.

The Market - Shopping Frequency

- 31% reported that they shopped at the Market several times a week; 38% shopped weekly; 19% shopped several times a month; 10% shopped only infrequently and the remainder either said they had never shopped or failed to indicate their frequency of shopping at the Eastern Market.

- 33% stated that they shopped at the Market more frequently than during the previous year; 12% said they shopped less frequently; 48% indicated shopping with the same frequency and the remainder did not answer this question. Those who explained their reasons stated that they shopped more frequently because they had recently moved into the area, had higher incomes or valued the higher quality, fresher merchandise offered at the Market. Those who shopped less stated, conversely, that they had moved from the area, objected to high prices at the Market or had less real income on account of inflation.

The Market - Suggestions for Additional Products to be Offered

- Many persons surveyed made suggestions as to additional products or services which they believed should be offered at the Market; high on the list was the re-establishment of a Boone's lunch counter-type restaurant. Other suggestions included more ethnic foods, dairy products, a delicatessen, and a greater variety of baked goods and seafood.

The Market - Satisfaction with its Use

- There were many respondents who made suggestions or complaints about the Market operation. The most common complaints related to the rundown appearance of the building, inside and out; lack of cleanliness; absence of restroom facilities; high prices, failure of merchants to post prices; and an insufficient variety of foodstuffs.

The lack of convenient parking was also mentioned. Despite these complaints, of the 624 persons who indicated that they had shopped at the Market, 91% expressed a general satisfaction with the Market; 2% said they were not satisfied, and 7% did not respond. In sum, of the 646 individuals surveyed, 568 (88%) stated they had shopped at the Market and were generally satisfied with its services.

The Market V Gallery - Frequency of Use and Satisfaction with its Activities

- The north end of the Eastern Market building is operated by the Market V Gallery in conjunction with the D. C. Commission on the Arts and Humanities. Of those surveyed, 241 or 37% indicated that they had attended an event in the north end; 56% had not and 7% did not respond to this question. The most commonly attended events were the art exhibits, Market Day and the "haunted house"; also mentioned were pottery sales, a square dance and charity benefits. Some of these activities, of course, were not Gallery productions. Dance and drama were mentioned by only a few of the respondents. The most common complaints about the north end were the lack of utilization of the facility and the limited community involvement in its operations. Some complained that it was noisy and disturbing to the neighborhood and that its activities were of limited appeal. It was recommended by some of the respondents that the sale of foodstuffs be expanded into the north end; numerous other uses, including a restaurant and a non-profit food co-operative, were also recommended.

- Of the 241 persons surveyed who had attended an event in the north end, 68% expressed a favorable reaction; 15% were not favorably impressed, and 17% did not answer. In sum, of the 646 respondents surveyed, 165 (26%) said they had attended the north end activities and were generally satisfied with the use of this portion of the building.

Getting to the Market - Closing Seventh Street

- Most respondents (66%) indicated that they generally walked to the Market; 19% drove, and the rest did not answer.

- 45% of those surveyed favored closing Seventh Street (between North Carolina Avenue and C Street or Pennsylvania Avenue) on Saturdays for pedestrians as an automobile-free mall and open to vendors. Additionally, 19% favored closing the street to automobile traffic on the condition that nearby parking be made available (such as at the Eastern Liberty Federal bank garage); 15% favored closing if there were nearby parking and a bundle pickup system were established

at the rear of the Market; 9% stated that the street closing should await the opening of the Metrorail Eastern Market station, and 11% opposed closing the street. Some persons gave multiple favorable responses to this question.

II. RECOMMENDATIONS ON THE USE OF THE MARKET

1. The Market operation must continue without interruption. Inasmuch as the Market is the focal point of the economic and community life of Capitol Hill, the City should finance the cost of a temporary roof to protect merchants and customers during the process of removing and replacing the permanent south end roof.

2. The Market V Gallery has demonstrated that it can make a contribution to the cultural life of the community, but it has suffered from a lack of funding, inadequate facilities and inadequate communication with the community. There are a number of buildings where the Gallery could suitably relocate, and the District should make available adequate space for it, such as vacant school properties of which there are several in the area. The D.C. Commission on the Arts and Humanities should assure that there is wider citizen involvement in the leadership of the Gallery and its operations. The Arts Commission and the Gallery should work closely with the ANC in this endeavor.

3. The Market activities presently limited to the south end of the building should be extended into the north end now being utilized by the Market V Gallery. There is a great need in the community for more food shopping facilities; the lack of such facilities is especially detrimental to those without access to private transportation. The expansion of the Market would also provide needed opportunities for small businesses.

4. The Eastern Market is an important public facility, as well as a historic landmark. Therefore, the District government, through local appropriations and matching federal funds, should assume the cost of restoration, including roof replacement, installation of new restroom facilities, ventilation, heating, plumbing and wiring systems, restoration of the farmers' line structure, landscaping and outdoor lighting. The renovation of the Market should be in keeping with the historic design of the building; restoration, rather than modernization, should be the object of this project. The support system to shore up the south end floor should be designed so that there is minimum interference with the potential use of the basement.

5. The lease with future tenants should be tightly drawn and strictly enforced. Objectives of such lease should include: giving some preference to existing merchants; eliminating wholesale operations which presently occupy too much floor space; utilizing the entire building for market and restaurant space, including the basement; fostering competition among merchants; offering a greater variety of foods; prohibiting fast food operations and most non-food sales; and establishing longer Market hours for the convenience of the shoppers.

6. The Market should offer a variety of restaurant facilities such as a Boone's restaurant/lunch counter in the south end, a cafe on a mezzanine level to be constructed along the walls over the merchants' stalls in the north end, a rathskeller in the basement, or perhaps an outdoor cafe in warm weather.

7. In addition to contacting local architects and developers who are familiar with the Market, the District should actively solicit bids for development of the Market from experienced developers who have been involved in the restoration of farmers' markets in other cities. Of course, like all other bids, such bids should be carefully examined for conformity with the objectives set forth herein.

8. A single responsible and accountable Eastern Market Administrator should be appointed to plan and carry out the restoration of the Market, and watch over its operation. If an overall developer is not utilized in the restoration and operation of the Market, the Administrator should consider encouraging the formation of a co-operative of small farmer--merchants to operate the Market. The diffusion of responsibility for the Market among several District government departments (DGS, DED, MPO) has contributed to a deterioration of the facility and a failure to adequately enforce the maintenance requirements of the present lease.

9. The District and Market merchants should forthwith institute measures to upgrade the appearance and cleanliness of the Market. Citizens' suggestions, as offered in the ANC SURVEY, should be studied by the District government and given great weight in this regard. In sum, the District should immediately take steps to enforce the provisions of the existing lease.

10. In view of the importance of the Market to the residents of Capitol Hill, the citizens of ANC 6A and 6B, through their ANCs, should be given an opportunity to have an effective voice in the restoration and operation of the Market.

11. The District Department of Transportation and other concerned agencies should implement a Saturday street closing program for Seventh Street between North Carolina Avenue and C Street, Southeast, with provision made for adjacent parking and a parcel pickup system at the Market and Safeway. The farmers who sell foodstuffs at the farmers' line in front of the Market should be allowed to continue to park their vehicles adjacent to the curb. The closed street area should be opened to pedestrians and also be used as business space for independent food vendors.

12. The Market must be considered as the centerpiece of commercial development on Capitol Hill, and the entire Market Row, Barracks Row and adjacent stores on Pennsylvania Avenue should be treated as a planning and developmental unit. This Eastern Market shopping district should receive greater planning attention from the Municipal Planning Office and other City agencies in order that this shopping district will better serve local residents, thus providing more tax revenues to the District and jobs for its citizens.

ECONOMIC DEVELOPMENT COMMITTEE
of ADVISORY NEIGHBORHOOD
COMMISSION 6B
Peter Ames Eveleth, Committee
Chairman

January, 1977

THE USE AND DEVELOPMENT OF THE EASTERN MARKET

Report and Recommendations of the Economic Development Committee to Advisory Neighborhood Commission 6B

I. Current Status of the Eastern Market

A. The District's proposal to lease the Market

By a notice published in the D.C. Register of May 14, 1976, 1/ the public was informed of the intention of the Department of General Services (DGS) of the government of the District of Columbia to lease for a term of ten years the Eastern Market located on Seventh Street, Southeast, between C Street and North Carolina Avenue (part of Lot 800 in Square 872).

In particular, DGS, which manages the government-owned building for the District, offered to lease the entire second floor and basement and all of the first floor except approximately 4,500 square feet bricked off at the northern end. The area to be leased includes approximately 10,000 square feet of market space.

The ten year lease with the Eastern Market Corporation was scheduled to expire August 31, 1976. Charles W. Glasgow of the Union Meat and Southern Maryland Seafood concessions in the Market is a principal in the Eastern Market Corporation. DGS indicated that it might retain jurisdiction over the remaining space in the northern end of the Market occupied by the D.C. Commission on the Arts and Humanities ("the Arts Commission") and operated by the Market V Gallery ("The Gallery"). DGS announced its intention to require that the tenant make certain capital improvements -- new public toilet facilities, improvements to the electrical, plumbing, water and heating systems, including the replacement of boilers, and possible modification of other related facilities.

DGS announced that all interested persons would be offered an opportunity to comment on the lease proposal at a meeting on May 26, 1976.

B. The ANC requests an opportunity to study the Market

In the interim, Advisory Neighborhood Commission 6B at its meeting of May 18, 1976 unanimously adopted the following resolution as proposed by the ANC's Economic Development Committee ("the Committee"):

1/ Exhibit 1. Supporting documents which are exhibits to this Report are on file at the ANC office at 921 Pennsylvania Avenue, S.E.

RESOLVED that the Department of General Services defer entertaining any bids of lease of Eastern Market and it continue its present lease of a month-to-month basis with its existing tenant until such time as the community, through ANC 6B has had the opportunity to study and make recommendations regarding:

(a) the preservation, restoration and improvement of Eastern Market facilities;

(b) the best use of total Eastern Market facilities;

(c) the minimum requirements to be imposed on future tenants of the facilities, and the performance of the present tenants and other users of the total building under existing leases or use permits;

(d) the relationship between Eastern Market and the economic and business development of the 7th Street, 8th Street and Pennsylvania Avenue, S.E. commercial corridors. (Exhibit 2)

The Committee, by member Janet L. Scholl, presented a statement of the ANC position at a hearing scheduled by DGS on May 26, 1976.

DGS in a prepared statement (Exhibit 3) amplified upon its lease proposal by indicating that it had appraised the fair rental value of the facility to be $50,000 per annum, plus 2% of gross receipts in excess of $2.5 million per annum. (DGS's proposed lease is Exhibit 4)

C. Improvements Required at Eastern Market

With respect to improvements required to be financed by the tenant, Mr. Donald L. Croll, Chief of the Real Estate Acquisition Division of DGS estimated the cost of the improvements to the various plumbing, heating, and other systems to be approximately $100,000 which, when expended by the tenant, would be deemed prepaid rent and credited to its rental account, without interest, so that no cash rental payments would be required until the credit is exhausted.

An additional improvement scheduled for the Market is the replacement of the existing roof which will be removed, reconstructed and replaced at District expense during 1977. This action must be taken because the roof trusses are not on the centers of their supporting columns. This must be repaired for safety reasons.

While this expenditure will be assumed by the government, DGS proposed that the tenant be required to build, at its expense, a temporary roof to be maintained during the construction of the permanent roof for health and safety reasons, and to keep weather and dirt from harming patrons and food.

The DGS reasoned that since the temporary roof is of no lasting benefit to the District and will be for the sole benefit of the tenant, the cost should be borne by the tenant on a non-reimburseable basis. The cost of this temporary roof is approximately from $50,000 to $100,000. (Exhibit 3, p.2)

Finally, Mr. Croll indicated that DGS would defer its proposed invitation for bids until the end of February, 1977. He also stated that the present tenant had agreed with DGS to extend the present lease until March 31, 1977.

D. Community Forum on the Eastern Market

In order to enable the ANC and its Economic Development Committee to study and make recommendations regarding the Market, a Community Forum devoted to the future of the Market was sponsored by the Economic Development and the Planning and Zoning Committees of the ANC. The meeting was held June 17, 1976 at the Natatorium. (Exhibits 4-6)

Approximately fifty persons attended the Forum, including citizens, District agency representatives, ANC Commissioners, and members of the nearby business community. Col. Sam Starobin, Director of DGS, explained that the Federal government has provided $300,000 for construction and $130,000 for planning. He noted that the restoration of the exterior brick has been completed. He said that the real replacement project, planned for the summer of 1977, would require shutting down the market for 5-6 months, unless the tenant, at its expense, built a temporary roof.

The Municipal Planning Office ("MPO") representative, John Fondersmith, stated that MPO intended to conduct a study of the Market and to develop a plan for the Market's surrounding metro impact areas by November, 1976. Fondersmith said that MPO will seek community input in the planning process through ANC's and citizens' workshops. James Clark of the Department of Transportation stated that while no study has yet been undertaken as to parking in the area, the Department intends to study parking available for commercial areas, including the Market, after the residential parking program is implemented and the Metrorail Eastern Market Station is opened.

Mr. Glasgow also gave some information concerning his present operations. He stated that he paid $10,000 per annum ($833.33 monthly) as rental and was responsible under the lease, for the cost of utilities and certain routine maintenance. (The present lease is Exhibit 7).2/

Glasgow explained that he operated both a wholesale and retail meat operation and sublet a substantial portion of the floorspace to various food purveyors. Rent receipts to Mr. Glasgow from these merchants amounted to $2,900 per month. Glasgow revealed that there is a waiting list of merchants who wish to establish stands in the Market but he claimed that there was no additional space for them in the South end of the building. 3/ Mr. Glasgow explained that the spaces along the curb in the "farmers' line" (the area under the metal roofed shed parallel to Seventh Street) was available on a "first come" basis at a rental of $.20 per day. 4/

As to the north end of the Market building, Col. Starobin explained that this portion of the Market building was assigned to the Arts Commission five years ago, and while the assignment is indefinite, it may be revoked upon 30 days notice. (See Space Assignment agreement, Exhibit 10).5/

2/ That lease also provides that the tenant would complete certain alterations and repairs during the first year of the lease, including painting of exterior brickwork, painting and patching of interior walls, etc. See Exhibit 7, pp 5-6. DGS was apparently satisfied that all of these conditions had been satisfactorily performed by the tenant. See Exhibit 8.

3/ The lease (Exhibit 7, p.17, para.10) provides: "In the event that the additional 4,500 square feet of warehouse space at the north end of the building, now being used by the Department of Highways and Traffic as storage, becomes available for rental purposes, the Lessor will afford the Lessee the right of first refusal.

4/ The $.20 fee was set by a 1906 Act of Congress, Title 10, Sec. 136 of the D.C. Code. Market Regulations governing the farmers' line, as well as other aspects of the Eastern Market operation, were adopted by the Commissioners of the District in 1924. In part, they state that the farmers' line spaces "maybe used only for the sale of commodities by bona fide farmers after having obtained a permit". (Exhibit 9)

5/ The assignment of space to the Arts Commission "may be revoked at any time for breach of terms of this assignment or upon 30 days written notice if subject premises are needed for any other District or Federal purposes" (Exhibit 10, p.2, para.6).

The Arts Commission is responsible for routine maintenance, utilities, security and general cleanliness of the building and abutting grounds. The nature of the activities conducted on the premises is not regulated other than the prohibition that commercial enterprises are not to be permitted, except for reasonable charges for admission to theatrical, musical or artistic exhibitions. There are no heating, plumbing or sanitary systems in the north portion of the building. Mr. Steve Taylor, director of the Gallery which has been granted an occupancy permit by the Arts Commission, and Mr. John Harrod of the Commission, explained that the facility is little used during the winter by the Gallery because there is no heat. Mr. Harrod indicated that the Gallery has expended considerable funds in improvements to the building. However, since the Gallery is funded by public agencies, community groups and admissions from events held at the facility and has little income except to pay utilities, insurance and maintenance, it has been unable to widely publicize its activities. Taylor and Harrod described the Gallery as a community service organization open to everyone, and having by-laws and regular elections. The Gallery, staffed by volunteers, conducts arts workshops for school children, and presents plays, art exhibitions and other related productions.

A variety of comments were expressed by the community. The main points were:

1. - the District should treat the Market as a public utility that should be properly maintained. Any lease negotiated must assure preservation of the building as an historic landmark.

2. - the north end of the Market is underutilized and underpublicized; there was division as to whether the Gallery should continue or whether the whole structure should be used as a market, the purpose for which it was considered. Some suggested that the Gallery be moved to other facilities, such as an unused school.

3. - the Market should in no event be closed while the roof is repaired; this would harm the community, the farmer-merchants, and adjacent businesses.

4. - a parking ban on Seventh Street on Saturdays was supported but some merchants thought it would be inconvenient to shoppers and harmful to business.

5. - Boone's lunch counter (formerly a popular gathering place at the Market) should be reopened.

II. ANC SURVEY

At the conclusion of the Community Forum, an ANC SURVEY was distributed to solicit comments, criticisms and suggestions regarding the Market and the Gallery. This survey was distributed to Market shoppers and Gallery patrons alike during subsequent weeks. A total of 646 people responded to the SURVEY, most of whom lived within the boundaries of ANC 6A and 6B, that is, Ward 6 west of Anacostia. 6/

The results of the Survey are summarized above at pp. 5 and a more detailed analysis, containing representative comments of the respondents, is set forth below at pp

The text of the SURVEY read as follows:

SURVEY ON THE USE OF THE EASTERN MARKET
sponsored by the Advisory Neighborhood Commission 6B, Committee on Economic Development and Planning and Zoning (6/76)

Telephone _____

Name _____ Address _____

Do you own ___, manage ___, or work for ___ a business located on Capitol Hill (Check)

I. Shopping at Eastern Market (south end of the building)

1. Do you shop at the Eastern Market ___ several times a week ___ weekly ___ several times a month ___ infrequently ___ never

2. Do you presently shop at the Market ___ more frequently ___ less frequently ___ with the same frequency as a year ago. State reasons for change, if any

3. What products do you believe should be offered for sale at the Market that now aren't

4. Do you have any complaints/suggestions about prices, service, quality of products, etc. at the Market. Please explain

6/ Of the remaining respondents, 17 lived in Maryland, 13 in Virginia, and 120 in other parts of the District. Only four gave no address.

5. Do you have any complaints/suggestions about the facilities, parking, cleanliness, or general appearance of the Market. Please explain

6. Are you generally satisfied with the Market's services _____. Do you wish to see it continued or do you have some other preference for use of the south end of the building. Please explain

II. D.C. Commission on the Arts (north end of the building)

1. Have you been involved in or attended any arts or drama activities at the north end of the Market ____ Please indicate when & what activiti4s

2. What has been your reaction to these activities

3. Do you have any complaints/suggestions about the present use of this portion of the Eastern Market building. Please explain

4. Are you generally satisfied with the activities conducted, and the frequency of the use of this portion of the building _____Do you wish to see it continued or do you have some other preference for use of the north end of the building. Please explain

III. Getting to the Market

1. Do you generally walk to___or drive to___the Market on weekdays
Do you generally walk to___or drive to___the Market on Saturdays

2. Would you favor closing 7th Street between North Carolina and Pennsylvania Avenues (or C Street) on Saturdays to automobile traffic and use the street as a pedestrian mall or as space for vendors a. ___yes; b.___yes, but only if nearby parking were available such as at the Eastern Liberty Federal building; c.___yes, but only if there were nearby parking and a parcel pickup system were established in the rear of the Market; d.___yes, after the subway stop opens; e.___yes, if (state your condition) _____ _____; f. ____no

IV. Citizen imput in the planning of the Market's future use

1. I would like to serve on a workshop of the D.C. Municipal Planning Office or other D.C. agency to make recommendations as to use of the Market _____

2. I would like to serve on an Advisory Neighborhood Commission Committee relating to ____Economic Development ____Planning & Zoning ____Consumer Affairs ____Other _____

DO YOU HAVE other comments, complaints or suggestions regarding Eastern Market and adjacent businesses

* * *

A. The Market-Shopping frequency (Question I (1) and (2)

Respondents were asked to indicate the frequency with which they shopped at the Market, and whether they shopped less or more during the previous year. They were given the opportunity to explain the reasons for any change in shopping frequency. 31% indicated shopping several times a week. These respondents indicated that they enjoyed shopping on their way home from work, or on a daily basis to assure the freshness of the products they purchased. 38% said they shopped weekly; 19% shopped several times a month; 10% shopped only infrequently and the remaining 2% did not respond to this question. Some shoppers indicated that they would shop more frequently but that the Market closed too early on weekdays.7/

It appears that the Market is becoming increasingly popular as a place to shop with the respondents.8/ Thus, 33% said they were shopping more frequently than a year ago; reasons expressed for this change were that they had recently moved into the area, had higher incomes, or had an interest in higher quality, fresher goods and "natural" products. Of the 12% who stated that they shopped less frequently, high prices at the Market, was the most common reason given; some also stated that they had moved from the area. Close to one-half of the respondents (48%) said they shopped with the same frequency.

7/ Market Regulations (Exhibit 9) provide for market hours Monday-Thursday from 7:00 a.m. to 7:00 p.m.; Friday 7:00 a.m. to 9:00 p.m. and Saturday 5:00 a.m. to 6:00 p.m. The sign at the Market, however, has posted hours of Tuesday - Thursday, 7-6, Friday and Saturday, 7-7 (closed Monday as well as Sunday) In fact, the Market frequently closes before 6 p.m. including Friday and Saturday, with some stands closing even earlier on an individual basis. The Committee recommends that the posted hours be adhered to by vendors, and urges later week night hours if feasible.

8/ The SURVEY, of course, does not take into account persons who have stopped shopping and thus were not at the Market to complete a questionnaire. Nor has any data been obtained from the Market merchants indicating their volume. Therefore, at best, the SURVEY represents only a rough impression of shopping trends, and it is no substitute for an economic development study by MPO.

B. The Market-Suggestions for additional products to be offered (Question I (3)).

Respondents were asked to make suggestions regarding additional products to be offered for sale at the Market. The responses to this question were extensive (See Appendix I for fuller explanation). Most frequently suggested were the opening of some type of restaurant facility, such as Boone's lunch counter, and the sale of more dairy products, ethnic foods and a greater variety of baked goods and seafood. The popularity of Boone's as a community gathering spot was impressive.9/ A delicatessen operation was suggested by a number of respondents. It seemed clear that a greater variety of foodstuffs was desired, and would attract more shoppers. In fact, many shoppers indicated that they would like to be able to do more of their shopping at the Market, but presently forego the effort and shop at the Safeway across the street in order to avoid shopping at two places.10/

9/ We recommend consideration of more than one eating facility at the Market. Thus, if feasible, a rathskeller-type operation in the basement might prove popular; an inexpensive, plain Boone's-type breakfast and lunch counter is clearly welcome in the south end; and a cafe-type operation which could be located in the north end on the mezzanine-level decking constructed along the walls over the merchants' stands might be desirable. An outdoor cafe should be considered, and was suggested by some respondents.

10/ It is not the recommendation of this Committee that the Market compete with the Safeway in all respects, by offering canned goods and non-food items. Instead, it should function as a farmers' market, concentrating on fresh produce, better grades of fresh fish and meats, and a wider variety of fresh foodstuffs. Our intention is not to disadvantage the Safeway; rather, it is our conclusion that each market benefits from the presence of the other, and this complementary nature of their services enhances the community. Recommendations regarding the Safeway operation are beyond the scope of this report.

C. The Market - Satisfaction with its use (Question I (4) - (6))

Respondents were asked to list their complaints and suggestions about prices, service, quality of products and the like. The highest number of complaints related to the high prices of products, lack of competition and the failure to post prices. 11/

On the other hand, while complaining about prices, respondents praised merchants for the high quality of meats and produce and of the personal quality of the service offered. However, the overall "drab and unattractive" appearance of the Market and the lack of cleanliness in and around the building was a common complaint of many, as was the unavailability of adequate restroom facilities. 12/ It was the concensus that renovation, painting and extensive (and regular) internal and external cleaning of the Market would influence customers to shop more often and attract others who are now turned off by its appearance. Not many would disagree with one respondent's comment that "there's plenty of room for improvement on all fronts."

Parking was raised by a number of persons in response to the SURVEY. People felt that more parking facilities would encourage more extensive purchases at the Market for people who would then drive rather than be forced to carry their purchases from the Market. 13/

11/ The Committee believes that more competition at the Market may favorably affect prices to the benefit of the consumer; more space, of course, is needed to accommodate additional merchants. We think that requiring merchants to post prices would also encourage competition and aid the shoppers. The limited floor space at the Market should be used for retail food sales, and wholesale operations, permitted under the present lease, should be eliminated. The Committee also believes that to require the tenant to assume the cost of all needed improvements is not desirable because the lessee will pass on these costs to the shoppers.

12/ The proposed DGS lease for the Market would require the lessee to provide, at its expense, new toilet facilities for attendants and patrons to be completed no later than 6 months after the commencement of the lease. These facilities are to be of sufficient size "to accommodate future needs of the entire building" (Exhibit 4, pp.9-10)

13/ There is adjacent on-street and off-street parking, such as the teachers' lot at Hine Junior High School, the Market lot off of C Street, and spaces behind the Market. Many of these spaces, however, are occupied on Saturdays, when the need is the greatest, by non-shoppers, such as when there are swim meets at the Natatorium. The status of parking at the new Eastern Liberty Federal Bank Bldg. is not settled.

A number of other valuable comments on the improvement of the Market were made by those surveyed. These included: longer, more convenient hours of operation; bike racks; repainting the Eastern Market signs; redesigned light poles; keeping the newly-installed lights under the farmers' line shed lighted at night; providing park benches around the Market; increasing the number of trash recepticles (to be interestingly decorated); washing down the brick sidewalks adjacent to the farmers' line and requiring the farmers to police their areas before departing on Saturdays; mowing and weeding on a regular basis; designing a better trash and garbage disposal system especially on weekends; instituting a program of rat control; erecting a community bulletin board or kiosk; and placing potted evergreens or planting more trees outside the Market. Some persons also recommended opening the Market on Sundays, permanently closing 7th Street and landscaping it with a fountain, trees, etc; requiring merchants to post "unit" prices; and creating a number system for customers at busy counters on Saturdays to facilitate service. As to outdoor activities, some suggested an outdoor cafe near the north end; antique auctions and flea markets. As to the basement, a popular suggestion was a rathskeller; one person mentioned a shopping arcade.

Respondents were asked to indicate whether or not they were generally satisfied with the Market's services and whether they wished to see it continue or preferred some other use for the south end of the building. Of the 646 people who completed the SURVEY, 624 (97%) said they had shopped at the Market, 16 (2%) had never shopped and 6 (1%) did not respond.14/ Thus, of those surveyed, the overwhelming percentage (88%) (568 of 646) indicated they had shopped at the Market and were generally satisfied with its services. However, although generally satisfied, many made suggestions that the Market should be renovated and cleaned.

D. The Market V Gallery - frequency of use and satisfaction with its activities (Question II (1)-(4)

Part II of the ANC SURVEY concerned usage of the north end of the building occupied by the Arts' Commission Gallery. Of the 646 persons who completed the SURVEY, only 241 (37%) indicated that they had been involved in or attended any arts or drama activities at the Market; 361 (56%) said they

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14/ Of the 16 who had never shopped, 6 said they were satisfied; 2 were dissatisfied and 8 did not answer the question. Of the 6 who did not indicate whether or not they had ever shopped at the Market, one indicated satisfaction with the services provided by the Market, none indicated dissatisfaction, and 5 did not respond as to their satisfaction.

had not participated and 42 persons (7%) did not answer this question.15/ Of the 241 who had attended 165 (68%) stated that they were generally satisfied with the activities conducted in the north end and with the frequency of use of this portion of the building; 36 (15%) were not satisfied, and 40 (17%) expressed no opinion. Respondents were also requested to indicate their reaction to these events. The responses were mixed. While some indicated that the events were "excellent" "educational" or otherwide valuable, others had an indifferent or negative reaction, complaining that the participants or audiences were noisy or ill-mannered. Of those stating a favorable reaction, the most commonly expressed preference was for the art shows, of which there have been two in recent months.

Other events which were received favorably were not necessarily those sponsored by the Gallery: pottery classes, crafts shows, Friendship House Market Days, Restoration Society House Tour teas, Capitol Hill Arts Workshop, square dance, Christmas bazaar, booksales, PTA benefits and some commercial activities outside the building, like flea markets/ rummage sales, etc. (Some, however, opposed non-market commercial uses.) Dramatic presentations received few specific comments, and many of these were negative. Similarly, the "haunted house" received at best mixed reviews; many neighbors objected to the noise, litter, late hours, etc. of this production. Some objected to loud music at the Gallery late at night.

Of the 363 who had not attended north end events, 78 (22%) said they were nevertheless satisfied with the activities conducted; 47 (13%) said they were not satisfied, and the vast majority, (65%) (or 238) expressed no opinion. Many of those who expressed satisfaction, although they had not attended, gave no explanation for their opinion; it appears from some comments that persons in this category like the concept of a community (noncommercial) use for the north end. As one respondent stated, I "have not attended but like the idea". Many of these persons expressed suggestions for use of the north hall as a cultural/arts/community center, mentioning a crafts "barn" or center with hobby equipment and tools; a place for senior citizens to meet, or for childrens' activities, a display gallery for Capitol Hill photographers, artists and craftspeople, or a "Torpedo Factory" as in

15/ Copies of the SURVEY were made available to John Harrod of the Arts Commission/Gallery for distribution to assure that persons who might not shop at the Market were nevertheless polled.

Alexandria. One individual suggested that Santa Claus be at the north end during the Christmas holiday. Of those who expressed dissatisfaction, though they had not attended any activities, many stated that they were turned off by the noise, a generally uninviting or "private, closed" appearance of the facility, or the subject matter of the event being presented. Other very common complaints related to the lack of publicity (the respondents weren't aware of the events before the fact) and the lack of sufficient utilization of the facility. As one person stated about events at the north end: "They're nice when they happen, but they do not happen enough to justify the space provided." A not uncommon complaint by those dissatisfied with the north end, whether or not they had attended events there, was a perceived lack of community involvement in the operation of the facility. Finally, of the 42 who did not answer whether or not they had attended events in the north end, 36 expressed no opinion regarding their satisfaction as to the north end's use, 5 said they were satisfied and one person indicated dissatisfication.

In sum, while there were a significant number of persons who had attended events in the north end and were satisfied with the use of this portion of the building (165 of 646 or 26%), most persons had not participated. Further, a favorable reaction did not necessarily indicate a vote of confidence in the operation of the facility by the Gallery, for many of the events which were favorably received were not produced by the Gallery, and some Gallery sponsored events, such as drama, were not well liked. Those who expressed an indifferent or negative reaction -- whether because of the underutilization of the building or dislike of the events -- suggested that marekt activities should be expanded into the north end and that events at the Gallery could be as effectively presented elsewhere, as in a school building. 16/

While some persons believed that relocating the Gallery "would be a disservice to the community", others seemed to feel that in view of the fact that the building was constructed for market purposes, "the emphasis should be on the Market, not supplementary activities".

16/ Other suggestions for the use of the north end included a "first rate restaurant"; opening a branch of Mangialardo's Italian grocery store/delicatessen; use for poetry readings, story hours for children, a liquor store, more pottery and metal work sales, indoor tennis, a supervised play area for children while parents shopped at the Market; a place for local musical groups; a news stand, a police sub-station, an arts and crafts store, and a raw bar selling beer.

E. Getting to the Market - closing Seventh Street (Question III)

In the final section of the SURVEY 17/ respondents were asked about how they got to the Market and how they felt about closing Seventh Street (between North Carolina and Pennsylvania Avenue or C Street) on Saturdays to automobile traffic and to open Seventh Street as a pedestrian mall or as space for vendors. 66% indicated that they walked to the Market both on weekdays and Saturdays; 19% said they drove. As to the closing of Seventh Street, the respondents were given six options: a) in favor; b) in favor, but only if nearby parking were made available such as at the Eastern Liberty Federal Bank building and garage; c) in favor, but only if there were nearby parking and a parcel pickup system were established at the rear of the Market 18/; d) in favor, after the Eastern Market subway stop opens; e) in favor, but only on some condition specified by the respondent; and f) not in favor. Forty-five (45%) favored alternative "a"; 19% favored "b"; 15% favored "c" 9% favored "d"; 3% selected "e" and gave other comments; and 11% opposed closing the street. A number of people selected more than one of the favorable response alternatives. Even among those who drove to the Market to shop, a majority favored closing the street. Based on this response, we recommend that D.C. DOT immediately implement a street closing plan, and work with area businesses to minimize any adverse impact on the Market that may result from such a plan. We believe, however, that closing Seventh Street from North Carolina to C. Street (rather than Pennsylvania) would pose no hardship and might indeed enhance pedestrian flow and increased business. The "mall" area thus created should be open to independent food vendors as well as pedestrians.

17/ The survey also provided respondents with an opportunity to indicate their willingness to serve on a MPO workshop on the Market or on an ANC Committee. Many of the respondents checked such an interest; their names have been supplied to MPO and ANC Commissioners, respectively. Nominations to ANC Committees are made by individual Commissioners of residents living within their respective Single Member Districts.

18/ Traffic in the private right-of-way between the rear (West side) of the Market and the Natatorium is presently one-way, south bound. If parking were available at the ELF building as well as the Hine teachers' lot and the Market's lot on the south side of C. Street, a parcel loading system could be developed by Market tenants by routing traffic from these lots one-way north through the right-of-way, enabling the shoppers/drivers to stop to pick up parcels in the back area adjacent to the Market where there is now some limited parking. One person suggested a parcel pickup system for the Safeway, as well. The Committee recommends the institution of such a system by the Market in conjunction with District authorities.

III - History, Architecture and Funding of the Market

The following material on the history, architecture, and funding of the Eastern Market is from unpublished material obtained from the work-files of, and personal interviews at MPO, DGS, and the National Capitol Planning Commission, Joint Committee on Landmarks, various articles in the Capitol Hill Spectator by Ms. Sara Shriner.

A. History of the Market

Eastern Market has been designated in the National Register of Historic Places as a catagory II landmark. This means that it contributes significantly to the cultural heritage and visual beauty of the community and should be preserved. It is the only operating public market remaining in Washington. The south section of the structure, completed in 1873 at a cost of approximately $90,000, was designed by Adolph Cluss, a prominent local architect of many post-Civil War buildings in the District. The basement of this section was reputedly used as a rifle range during the Spanish-American War. The north section, with two-story connecting structure, was built in 1908. The Market has a functional style of commercial architecture, typical around the District during that era. (See Appendix II for a full physical description of the Market building).

The Market, an important element in the Capitol Hill community commercial activity for many decades, provided a variety of stalls (85, originally renting for $3.75 a month) offering flowers, meats, seafood, poultry, pastries, herbs and vegetables. The farmers' line, (an open shed for farmer-merchants) was added outside the Market along Seventh Street, providing space for off-the-truck farmers' vending. The basic market activities are essentially the same today.

By 1960, the Market's business had declined and only two tenants were providing retail services. In 1963, utilization increased with the tenancy of a fifteen-merchant cooperative, Cen East Inc., composed of businessmen who were displaced by the closing of the Center Market. Since then, nearly all available space in the south hall has been leased. As noted, there is a small restaurant (Boone's, presently unused) and storage space on the first floor, and a potters' studio and restrooms on the second floor, occupy the two story connecting structure. The sky-lighted second floor was once a cafe and the Market Master's office. The space filled by the present cafe was a loggia, with a fishmarket across the way. In later years the north hall was closed, eventually used for storage by the highway department, until its present occupancy by the Market Gallery.

In recent years, as the ANC SURVEY confirms, the Market has continued to serve as one of the focal points for the Capitol Hill community. Its offerings of personalized service and fresh quality products attracts shoppers from the entire city and nearby suburbs as well as from the immediate neighborhood.

B. Building Condition

Eastern Market has been in deteriorating condition up until 1975, when approximately $95,000 was expended to begin stabilizing the building. 19/ Elements completed were: the preparation of measured drawings of the building; a structural survey, including detailed analysis of stone-work and brickwork; cleaning and repointing of the above-ground masonry of both market-halls; temporary repairing of cornice, gutters, and downspouts; and, providing bird-barriers. Hans-Ullrich Scharnberg Architects are the project architects for this phase. A.J. Julicher and Associates was the consulting engineer for structural investigation. This represents partial completion of the first three phases of the restoration project carried out by the Department of General Services. The project is to be completed in phases over a period of years and will result in the complete restoration of the Market.

Structural corrective work was recommended for the south market-hall. Following is a synopsis of the highlights of the June 25, 1975 report submitted by J.A. Julicher to the Department of General Services. (Exhibit 11).

--Masonry walls are in good condition, except at the corners on which the hip trusses bear. No corrective work was advised other than the now-completed cleaning and re-pointing.

--First-floor support "I" beams are overstressed between 21%-60%, based on present D.C. building codes. However, these ironbeams have performed satisfactorily for over 100 years. To alleviate this overstressed condition, two recommendations were made: (1) provide floor drains to divert water from the beams which are rusting, and (2) provide simple props in the basement to reduce the span and consequently reduce the overstressed condition. The implementation of this latter recommendation, however, if not properly designed, might well limit the possible uses of the basement for other than storage purposes. This Committee recommends that the basement area be opened for commercial retail use, such as a restaurant.

19/ Increasing concern for the preservation of the Market has been expressed by Hill residents in recent years, particularly the Capitol Hill Restoration Society which offered testimony before the City Council in 1971 urging approval of the Mayor's budget request for appropriations to modernize the Market. The Society was also active in seeking historic landmark designation status for the Market.

--Roof truss stability most concerned the engineers.20/ All roof trusses of the south hall are out of plumb by 5 inches. The transverse truss at either end, and the hip trusses connected to them, are overstressed between 15%-35%. All the other transverse trusses in between are satisfactory under the code. The major causes of the over-stressing of the end trusses are: (1) they aren't positively anchored to the walls (that is, they are held in place by gravity alone); and, (2) the trusses are not diagonally braced -- only roof sheathing provides any side-to-side bracing.

DGS is of the opinion that the trusses were built out of plumb, and that, if true, the overstressing of end and hip trusses will be alleviated by welding diagonal braces in place. While replacing the slate roofing with a slate facsimile would reduce the weight by as much as 50% of the slate, the esthetic implications of such a substitution should also be considered. The Committee recommends that the ANC oppose any renovation work which would detract from the historic design integrity of this structure. To protect the on-going market activity below, a temporary weatherproof subroof must be installed, to be removed once the roof is refurbished.

The original estimate (1975) for roof repair, including the cost of a temporary roof, was $250,000. Given a 10% per year inflationary increase, the cost in 1977 could be as much as $300,000.

These structural problems are not the only elements to be considered in restoring the Market to an acceptable state. Among others are the following: 21/

1. Woodwork - All exterior and interior woodwork is in bad condition and needs cleaning, repair and painting.

2. Windows and doors - most windows are painted over, and some windows and doors are inoperable or blocked.

20/ The engineers stated that "a heavy wet snow...could cause a collapse of the roof over the south portion of the Market." (Exhibit 11).

21/ Under the existing lease, the lessee was required to, among other things, repair all windows; replace sandstone windowsills; caulk and seal door frames; paint interior walls and exterior wood work and trim; repair, clean and paint the farmers' line shed, etc. (Exhibit 7, pp. 5-6). The DGS was apparently satisfied that the alterations and repairs were satisfactorily performed by the tenant. (Exhibit 8).

3. Heating, ventilating and cooling - The present boiler is in poor condition and needs replacement. More effective ventilation is also needed.

4. The farmers' line - the iron arcade is in need of repair or replacement, in some manner that doesn't disrupt the activity.

5. Sanitary facilities - public and employee restroom facilities need upgrading or replacement.

6. Electrical system - wiring and lighting work needs upgrading. 22/

7. Renovation of North Hall - to date all improvements have been structural with the exception of certain repairs made by the Market V Gallery. In all events, this portion of the structure must be upgraded whether the present use is continued or the north end is utilized for an expanded market or other function beyond simple storage.

We recommend that all feasible efforts be made to restore, and not simply modernize this historic facility.

C. Financing

It is beyond the scope of this Report to make a detailed study and recommendation with respect to the possible sources of financing of the renovation and restoration of the Eastern Market. Only a brief overview is possible with the limited information gathered to date.

There are two possible sources of financing for the Eastern Market -- revenues and appropriated funds.

Revenue from the Market means rent and taxes. Current rent is $10,000 per year for the south hall, about one dollar per square foot, payable to the District. The north hall is administered by DGS for the Arts Commission as city-utilized property, therefore no rent is charged. The $10,000 rent received from the south end is used to defray "administrative costs." Sales taxes and licensing fees go into general revenue. Since the Market is publicly owned, there is no property tax, except on the privately owned equipment that is taxable.

As noted above, estimates by DGS for rental value under future leases represent a significant increase over present levels -- from $2.50 - $5.00 sq. ft. per year for

22/ A June 8, 1976 DGS memorandum indicates that items 1-6 could cost $550,000. No estimate exists for item 7.

10,000 to 16,500 sq. ft., plus a percentage of the profits on any gross receipts in excess of $2.5 million per year.23/ However, inasmuch as no current economic development study with respect to the Market exists, this Report makes no recommendations as to the proper rent to be charged under a new lease for the south and north halls of the building. Of course, high rents are likely to have an effect on prices charged by the tenants.

There are presently three possible sources of appropriations: capital improvement monies from the city's general appropriation, Federal matching funds for historic preservation, and a part of the city share of the Public Works Employment Act of 1976. Table 1 shows amounts presently available or expected during fiscal year 1977 (October 1976 through September 1977).

TABLE 1. Funding for Eastern Market Restoration

Capital improvement appropriations for fiscal years 1974 & 1975	
Construction	$300,000.00
Construction services	30,000.00
Historic preservation matching funds, for fiscal years 1972-1974	
Construction	$88,152.00
Construction services	15,852.00
Total funds appropriated or obligated	$434,005.00
Less funds spent for drawings, pointing, etc.	95,360.62
Total unobligated balance	$338,644.38 1/

23/ The rental charged at the Annapolis City Market is considerably greater, ranging from $12 a square foot or 3% of gross sales, whichever is greater, to $14 or 5%. One merchant is charged a flat $20 a square foot.

1/ Source: Department of General Services, June 9, 1976, "Status of funds, Restoration of Eastern Market, Project 24-9985-74, Reference Number 804.05"

Additional historic preservation matching funds requests, FY 1977 ..... $ 89,859.00[2]/

Possible share for Eastern Market from Public Works Employment Act of 1976 ..... 300,000.00[3]/

2/ To be utilized, the District must show an equivalent matching amount of cash, or donated labor, materials or property. The amount requested can be amended upward if the city's share is increased. This amended request could be as high as $200,277.00, the total annual program grant to the District of Columbia for FY 77. Source: Division of Grants, National Park Service, December, 1976.

3/ Application has been made for this amount by the District BMS and action is expected thereon in January, 1977. This amount represents a 100% direct grant for roof repair and basement support installation. An additional $20,000 from the capital improvements budget and $20,000 from the National Parks Service matching fund will be applied to the design of these renovations. Source: Capital Improvements Program; D.C. Office of Budget & Management Systems, December, 1976.

IV. Conclusions and Recommendations

A. The Eastern Market is an institution of unique historic, cultural, economic and social significance to the Capitol Hill community and the District government should treat it as an asset to be preserved and developed. The Market, including both the north and south sections, should be developed as a total market facility, and the retail sale of a greater variety of foodstuffs, at reasonable prices, should be encouraged.

The results of the ANC SURVEY, in many respects, contains no surprises; they simply serve to underscore the wealth of community support for a unique Capitol Hill institution known simply as "the Market". Despite a commonly held feeling that the Market is somewhat dirty, dilapadated and ill-maintained, that prices are too high, and that there is a lack of parking spaces, the Hill community loves its Market. The Market is seen by Capitol Hill residents as a focal point of shopping and social contact, and it serves as the centerpiece of newly-developed small shopping areas of Market Row and Barracks Row, on Seventh and Eighth Streets, respectively. In sum, the community's message is unequivocal: as one person replied: "Don't you dare close our Market."

Fortunately, the issue does not appear to be whether or not the Market will remain open -- assuming that the District sees fit to allow it to continue in operation during the period that construction proceeds on the new roof. Rather, it is whether the District Government will merely tolerate the Market's existence, or instead give it due recognition for its importance to the community life of Capitol Hill and restore and develop it as a total market facility.

The Eastern Market, as with other city markets, was constructed as a farmers' market offering for sale fresh meats, fish, vegetables, fruit and other foodstuffs. It has offered these services to the community to a greater or lesser extent for more than 100 years. The need of the community for such a facility exists today as it did a century ago.

The lack of adequate food shopping facilities has become a matter of increasing concern as supermarkets have been rapidly abandoning inner cities through the country, and in Washington, no less than other urban areas. 24/

24/ Fortunately, a new full-line grocery store, Shelton's Supermarket, was recently opened at the site of the former A & P store at 12th Street and Pennsylvania Avenue, S.E.

The impact of this situation is particularly felt by those without access to private transportation. 25/ The Eastern Market, therefore, satisfies a great need of the community. Moreover, the Market is beneficial to the city as a whole for a number of reasons. One of the most significant is that it is one of those unique institutions which encourages people to live, work and shop in the city, thus contributing to the economic life of D.C. 26/

In addition to the need for additional shopping facilities to serve District residents, the District quite clearly needs to expand its tax base and provide employment opportunities for its citizens. The District's private business sector is not healthy. In a disturbing recent report by the Commerce Department, reported in The Washington Post (October 15, 1976, p. C 1), it was concluded that "Washington's economy is becoming increasingly dependent on government benefit programs for the poor, the elderly, and the unemployed and on the earnings of D.C. government workers...Meanwhile, the city's private businesses have grown only sluggishly."

The potential business activity in a renovated and expanded Eastern Market and in its adjacent commercial corridors is great. The Metro, alone, will bring increasing numbers of persons to our streets with its anticipated opening in July, 1977 of the two stations located within about 8 blocks of the Market, and one station, aptly named "Eastern Market", on Pennsylvania Avenue at Seventh Street. The construction of the new "ELF" building, and the establishment of many new businesses on Barracks Row (Eighth Street) and on Pennsylvania Avenue also attest to this anticipated economic growth. But what makes the Hill a unique shopping area is surely the Market which attracts shoppers from Virginia, Maryland and other parts of the District as well as the Capitol Hill community.

25/ See the recent study by the Urban League, "SOS '76 -Speak Out for Survival", pp. 19 (1976). The League recommended "That public markets be created on city-owned properties in low income neighborhoods, with stalls and smaller shops leased at moderate costs to private entrepreneurs.

26/ We are not alone in experiencing this phenomenon. In recent years, farmers' markets have been established or reopened in Louisville, Syracuse, Sante Fe, Honolulu, New York, Pittsburgh, San Jose and Birmingham. TIME, September 6, 1976, p. 78. Other successful markets, though different in scale and focus than the Eastern Market, are the Lexington Market in Baltimore and the newly renovated Quincy Market in Boston, The Washington Star, November 20, 1976, p. C1; The New York Times Magazine, October 10, 1976, p.74 ("Bringing Life to Market").

The foregoing would clearly indicate the need for increased commercial development at Eastern Market, by the conversion of the north section to such activities. While by no means is the community sentiment unanimous on this point, many of the residents surveyed would appear to be in agreement.

There has been considerable sentiment expressed in support of the activities of the Market V Gallery, although by no means is it without its detractors. However, the choice is not one between the continued existence of the Gallery and the expansion of the Market. As the Board of Directors of the Restoration Society has pointed out, there are many other viable locations for the Gallery, but zoning and practical considerations severely limit the possibilities for expanding market facilities. (Exhibit 12). Nor is the north end in its present condition fully suitable to the needs of the Gallery. On the contrary, considerable expenditures will be necessary for plumbing, restrooms, and heating in order to permit the Gallery to fully utilize the north end, particularly during winter months. Clearly, in its present condition, the north end is not ideally suited as a cultural facility.

Another drawback to the continued use of the north end by the Gallery is present underutilization of the facility. As the ANC SURVEY revealed, many residents are critical of the lack of use/lack of publicity regarding the north end. While some of this may be traced to the inadequate facilities, lack of funding as well as the perceived lack of community involvement in the management of the Gallery and the limited appeal of some of its activities, problems which can be alleviated, 27/ we nevertheless believe that the north end will inherently serve more people on a sustained basis if it is developed as a market than if the present use is continued. More people shop at markets than patronize art galleries. Since the Market was built for market use, and there is a scarcity of markets, we recommend that the limited space available be devoted entirely to a farmers' market function, and that the Gallery be relocated to a more suitable facility.

27/ While the Capitol Hill Group Ministry supported the continued use of the north end by the Arts Commission, it recommended that "the Gallery begin to recruit new members for its corporation to help establish an even more diverse program than presently obtains." Letter to Mayor Walter E. Washington from Reverend Edward E. Goode, Director, the Capitol Hill Group Ministry, Inc., June 29, 1976. (Exhibit 13).

B. The District should consider soliciting experienced commercial developers to restore and operate the Market, but should retain adequate control by carefully drafted lease requirements, administered by a single, responsible District official, and should encourage the formation of a farmer/merchant co-operative organization to assure the continued role of small businesses at the Market.

The recent rejuvenation of farmers' markets in various cities in the United States would appear to indicate that the economic potential of a fully developed Eastern Market would interest developers in investing in the restoration and renovation of the Market. Moreover, the experience which these developers have gained from other restorations might benefit the community. From the present condition of the Market, there is some basis for questioning whether the present lessee has the expertise, interest and capital to restore the Market in the manner desired by the community. In any event, the availability of the Market for development should be widely publicized, and developers and architectural firms which have done innovative restorations should be directly contacted and invited to submit proposals. 28/

The community, of course, may be concerned, and rightly so, that a large developer would change the character and atmosphere of the Market, and be unresponsive to the wishes of the community and shoppers. We believe, however, that by a tightly drawn lease agreement and by the close supervision of restoration and subsequent operations by a single responsible District administrator, these dangers can be minimized. Skeptics should consider the alternative which is the continuation of the present situation. It is quite clear that needed repairs and maintenance have not been accomplished, and to our knowledge, the District officials have not sought to enforce compliance with lease requirements in this respect. While under the present lease, the lessee is entitled to operate a wholesale operation, the expansion of this phase of its business does not benefit the community. Further, although the lessee has stated that other businesspersons have expressed an interest in locating in the Market, there are presently empty stands. As to the Boone's, the community has strongly expressed its desire to see that operation reopened, but without avail. It is apparent that the size of the developer is no guarantee of its responsiveness or lack of responsiveness to the community.

28/ Innovative restorations of older structures have, of course, been accomplished by local architects, for example, Arthur Cotten Moore. Most familiar with the Eastern Market is Hans-Ullrich Scharnberg, Architects, a Capitol Hill firm, who are the project architects and have provided services for the initial phase of the restoration of the Eastern Market.

It also seems clear that the District government has not devoted much time or attention to the Market, and it has only been through the efforts of certain dedicated organizations and individuals, that the District has begun to display any attention to the Market.

The Market's present deteriorating condition must also be traced, in part, to the divided responsibilities which are shared by different District agencies -- DGS and MPO. The lesson in this is that an independent city official must be designated Eastern Market Administrator; either as chief officer of an Eastern Market Authority or directly reporting to the Mayor. Concentration of authority and accountability in a single individual will be especially important in the early stages of soliciting and accepting bids, consulting with community groups, and overseeing the design and renovation of the Market, as well as administering the operation of the Market and insuring the full performance by the developer - tenant of the terms of the lease. As a city official, the Administrator would, of course, be subject to the provisions regarding notice to the ANC, established by D.C. Law I-58.

As an alternative to the foregoing recommendation, the Commission may wish to consider recommending that the Eastern Market Administrator serve as developer and operator of the Market, and that the Administrator be directed to contract with a co-operative of small businesses to operate individual stands in the Market after that facility has been renovated [illegible] and restored by the Administrator. The Administrator could assist in the formation of such a co-operative. Rentals, based upon a percentage of profits, might assure that the present small businesses are not displaced if they contract to perform upgraded services. We recommend that some form of preference be given to these merchants, whomever the developer. Again, we believe that the ANC should have a role in this process. Assuming that the Commission chooses to recommend that a private developer, rather than the city itself, be selected to renovate the Market, it is our recommendation that the District not require the developer to assume the financial responsibility for all improvements to the building. To the contrary, since it is assumed that the developer would not be eligible to use preservation matching funds (unlike the District), the developer would have to pass on its costs, either to subtenants in rent or in the form of a capital contribution, or to patrons in higher prices. Rather, we recommend that much of the restoration and alteration work be financed by the District, and that rent be based on a variable, increasing percentage of profits.

Inasmuch as we do not anticipate that a new lease can be settled on by April 1, 1977, we recommend that the present lease be extended on month-to-month or six month renewable terms.

C. The Gallery can provide an important cultural contribution to the community, and the District should provide more suitable space for the Gallery, and assist its development with financial grants, but the Gallery must become broader based in its organization and in its programs.

As the ANC SURVEY reveals, there is considerable support for the Market V Gallery and the activities which it sponsors. Despite handicaps of an inadequate facility and minimal financial support 29/, as well as insufficient publicity, it has attracted some positive community support. However, it is also perceived by many local residents as a parochial group, presenting activities which do not have broad-based appeal. Despite these shortcomings, we recommend that the City government, and the ANC consider alternative sites for the relocation of the Gallery, and consider more assured financing of its activities. The schools, of course, provide a wide range of facilities, particularly Hine Jr. High which has a modern auditorium. There are also other District-owned buildings which are now classified as "surplus" property, which could be considered suitable locations for the Gallery.

If, as the Capitol Hill Group Ministry suggests (Exhibit 13) the Gallery recruits new members for its governing board to include all segments of the community, greater community support will be forthcoming, not only for the activities it presents but for the concept of greater city financial support for the arts, which will benefit all cultural groups and the Hill residents.

29/ The precise amount of this financing is unknown. The Committee has sought to obtain this information from the Arts Commission (Exhibit 14).

APPENDIX I

CITIZENS' SUGGESTIONS FOR ADDITIONAL PRODUCTS TO BE OFFERED FOR SALE AT THE EASTERN MARKET FROM THE ANC SURVEY (Some of the following items are in fact already offered at the Market)

- greater variety of seafood. Items mentioned included: salmon, pompano, snapper, hardshell crabs (cooked), lobster, non-shucked oysters, trout

- greater variety of vegetables and fruit
- whole grains, especially in bulk
- ice cream
- candy
- pickles
- some bulk staples, e.g. flour
- fresh local (Maryland) maple syrup
- freshly bottled juices
- better quality/variety cheeses
- dairy products - milk, cottage cheese, sour cream
- fresher and more variety baked goods, including breads, French pastries
- delicatessen items
- non-nitrate hot dogs
- ethnic groceries. Items mentioned included Chinese, Italian, Japanese, Indian, Mexican, kosher
- nuts
- home-made jellies, preserves
- fresh herbs
- grated coconut
- beer, wine, liquor
- variety of coffees and spices
- live chickens
- some canned goods
- home cooked foods (as at Farm Women's Market in Bethesda)
- pates, quiches
- non-specified gourmet foods
- soft drinks and carry out, coffee shop, sandwiches
- weekday sale of fresh flowers, plants
- paper products

APPENDIX II

PHYSICAL DESCRIPTION OF EASTERN MARKET

The Market is a rectangular-plan brick structure, approximately 315 feet long, 50 feet wide. It contains roughly 16,500 square feet of floor area, mostly on a single, at grade, level. The south hall, with the main entrance on Seventh Street, is one story, about 40 feet to the roof peak, 25 feet to the trusses. It is about 200 feet long, and contains approximately 10,000 square feet of floor area. The single-story north hall, also 25 feet to the trusses, is 45 feet to roof, and contains a bit less than 4500 square feet floor area, and fronts on North Carolina Avenue, to the North. The two-story connecting structure, T-shaped in plan, is roughly 30 feet high, and makes up the remaining 2000 square feet. Both the original and annex sections are constructed of common-bond red brick, and hip-roofed with grey slate on timber decking over iron trusses. The farmers' line, under iron canopy, extends the length of the Market along Seventh Street.

The Seventh Street side of the connecting section has three window bays on the second floor. The first floor contains an elliptical arch with keystone, originally screened with open grillwork and a white oak gate with grill work panels. This archway is presently filled in with the woodframe lunch-counter, sheathed in white clapboard siding, asphalt shingle roofing, and steel-mesh screens over windows.

The connecting section formerly opened into the north hall through a double door with large fanlight flanked by two round arched windows -- all presently bricked in. Although varied in articulation from the south hall, the north hall facade harmonizes well, through the use of similar materials and the continuation of round-arched windows. Each facade of the north hall has an entrance at mid-length, flanked by alternating windows and brick pilasters with stone capitals supporting a molded cornice of galvanized iron.

The interior of each market-hall is one large, unbroken space under a ceiling of exposed iron trusses, a vital element contributing to the sense of spaciousness within. The large open area allows for flexible arrangement of stalls and circulation within the market.

The basement, located only under the south hall, has a ceiling of rather low brick vaults supported by two rows of brick arches carried on brick piers placed the length of the building. The basement is now used for storage and as a boiler-room.

District of Columbia Board of Elections and Ethics
OFFICE OF THE DIRECTOR OF CAMPAIGN FINANCE
504 Munsey Building
Washington, D.C. 20004

CARL H. MCINTYRE
DIRECTOR

January 31, 1977

Julius W. Hobson, Councilmember
District Columbia City Council
14th and E Streets, N.W.
Washington, D.C. 20004

re: Complaint of Walter Byard

Dear Councilmember Hobson:

Enclosed is a copy of the investigator's report concerning the above mentioned matter, which has been submitted to the Board of Elections and Ethics. However, I have been advised by the Board that I submit your statement to them in writing and under oath. Particular emphasis is to be made in reference to your role in the authorization of the attached news release.

Sincerely,

Carl H. McIntyre
Director of Campaign Finance

Attachment

RECEIVED
FEB 03 1977
Julius Hobson, Sr.
Councilmember-At-Large

Dist of Columbia Board of Elections and .hics
OFFICE OF THE DIRECTOR OF CAMPAIGN FINANCE
504 Munsey Building
Washington, D.C. 20004

CARL H. MCINTYRE
DIRECTOR

January 14, 1977

TO: Board of Elections and Ethics

FR: Carl H. McIntyre, Director
Office of Campaign Finance

SUBJ: Investigators Report and Opinion involving the Complaint of Walter Byard against Julius Hobson and or Willie Hardy.

The following is the investigator's report and opinion in reference to the aforementioned subject.

Although Councilmember Hobson denies authorization of the news release involved, in view of the attach report, it is hereby recommended that the Board adopt the investigator's recommendation therein.

D.C.-44
May 1967

Memorandum • Government of the District of Columbia

TO: Carl H. McIntyre, Director

Department,
Agency, Office: Campaign Finance

FROM: Lindell Tinsley, Investigator

Date: January 6, 1977

SUBJECT: January 5, 1977 Interview
With Willie Hardy
Member of the City Council

On January 5, 1977, at 10:30 A.M., I had the opportunity to interview Councilmember Willie Hardy in the investigation of Walter Byard v. Julius Hobson and/or Willie Hardy.

On September 3, 1976, the District of Columbia Board of Elections and Ethics received correspondence from Walter Byard in the nature of a complaint. Mr. Byard is a former candidate for City Council in Ward 7. The complaint alleges that a news release, (see attachment) dated August 27, 1976, was circulated widely throughout Ward 7 and at a forum held on August 30, 1976; that this news release is on Council stationery, and its content is totally political. It was therefore requested that we initiate an immediate investigation as to possible violations of the Campaign Reform Act. In substance, Mr. Byard's concern is that any opponents of Councilwoman Hardy are put at a distinct disadvantage with the distribution of this news release on official District Government stationery.

During the January 5, 1977 interview, Mrs. Hardy disclaimed any authorization of this news release and stated that the release came from the office of Councilmember Julius Hobson. Mrs. Hardy points to the following specific language in a later statement of Councilman Hobson, dated September 2, 1976:

> "Any authorization to allow those statements to be attributed to me was a serious error on my part."

Mrs. Hardy does, however, admit to doing the background research for the previous release and stated that she supports the content and the purpose for which the news release was authorized (by Julius Hobson).

It is her opinion that the content of this news release, however political, was made and authorized pursuant to the lawful prerogative of any member of the District of Columbia City Council.

On November 17, 1976, the Director of the Office of Campaign Finance requested a written opinion from the General Counsel involving the jurisdiction of the Board over the use of Council stationery for political purposes. The Director refers to the following specific language in the General Counsel's opinion from which he relies upon 27 Federal Bar 13:

> "An abuse of position to the detriment of a third party is involved when an official uses his official title, stationery or other symbol of his position to influence someone in transactions in which the government is not directly involved."

Relying on the guidelines within the aforementioned language, there is little doubt that the content and purpose of this (August 27, 1976) news release was directed to the average reader by a member of the Council to correct misinformation about the activity of that body.

Since the government is directly involved and has a paramount interest in the accurate communication of information to the public involving the interactions of that body, it is therefore respectfully recommended that this complaint be dismissed.

District of Columbia City Council
News Release

City Hall, 14th and E Streets, N.W. Room 507 638-2223 or Government Code 137-3806

FOR IMMEDIATE RELEASE
(STATEMENT)

AUGUST 27, 1976

COUNCILMAN JULIUS HOBSON ANGERED BY POLITICAL TACTICS OF WARD SEVEN CANDIDATES

"I am enraged that the candidates opposing Councilwoman Willie Hardy in Ward Seven have been telling the voters of that Ward that the current City Council has voted to raise real estate taxes. This is absolutely untrue. I consider this as a personal insult to my integrity and character as an at-large member of the Council. Not one of us has voted to raise ANY real estate taxes, and I will oppose any effort to do so in the future.

"The legislation that these opponents of Mrs. Hardy have been unable to understand is merely enabling legislation. There would be no new bonds; there would be only a refinancing of Treasury Department bonds, bonds which our real estate taxes already pay for, and have been paying for for many years. By refinancing bonds, the city will actually SAVE money.

"When I heard about the deceptive practices going on, I was shocked; but when I saw these allegations in print, I was angered. Congress has given us this limited form of self-government, and they would be more than happy to take it back. When Congressmen see candidates for City Council openly distorting the facts before the public, they have yet another excuse to further disenfranchise us. People who wish to become leaders in this black community cannot be allowed to misinform the very people they want to represent.

"I would ask the voters of the District of Columbia to vote only for those persons who have told them the truth about the work of the Council, and to ignore those who willfully mislead them for their own personal and

For further info, call 724-8072.

Sept[illegible]er 2, 1976

STATEMENT OF COUNCILMAN JULIUS W. HOBSON

A news release dated August 27, 1976, that was neither written nor printed in my office, has caused some controversy in Ward Seven. I would like to reiterate the following:

- At no time during the period that an elected City Council has been in office has the Council raised the rate of real estate tax applicable in the District of Columbia. Any statements to the contrary have no basis in fact and come from misinformed individuals.

- Councilwoman Willie Hardy, running for reelection in Ward 7, has my support.

Any other information in the news release relating to "political tactics" or "deceptive practices" of Ward Seven political candidates does not have my support, and should not be considered the opinion of Councilman Julius W. Hobson. Any authorization to allow those statements to be attributed to me was a serious error on my part.

Julius W. Hobson

Julius W. Hobson
Councilman-at-large

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ELECTIONS AND ETHICS
DISTRICT BUILDING
WASHINGTON, D. C. 20004

CHAIRPERSON
SHARI BARTON KHARASCH
MEMBERS
ROBERT GRAYSON McGUIRE
SALLIE A. JOHNSTON

November 17, 1976

MEMORANDUM

TO : Carl H. McIntyre
Director of Campaign Finance

FROM: Winfred R. Mundle
General Counsel
THRU: Board of Elections and Ethics

SUBJ: Request for a written opinion involving the jurisdiction of the Board over the use of Council Stationery

The general rule appears to be that "an abuse of position to the detriment of a third party is involved when an official uses his official title, stationery or other symbol of his position to influence someone in transactions in which the government is not directly involved," 27 Federal Bar 13. With this rule in view, we examine D.C. Code, section 1-1181(b) which reads:

> "No public official shall use his official position or office to obtain financial gain for himself, any member of his household, or any business with which he or a member of his household is associated, other than that compensation provided by law for said public official."

It appears that logic would lead one to conclude that if other stationery is used (non-government) it would have to be done at an additional expense and an expense saved is an expense gained.

This would be in violation of D.C. Code, section 1-1181(b) and probably Title 22, section 2206 of D.C. Code, 1973 Edition, as amended.

February 16, 1977

Mr. Bill Eidem
3013 Graham
Falls Church, Virginia 22042

Dear Mr. Eidem:

Thank you for the two books on cancer. I deeply appreciate your taking the time to write and send the books to me.

Sincerely,

Julius W. Hobson
Councilman at Large

Enclosure

February 22, 1977

Dr. Therman Evans
President
Board of Education
D.C. Public Schools
415 12th Street, N.W.
Washington, D.C. 20004

Dear Dr. Evans:

The Committee on Education,Recreation and Youth Affairs is conducting a public hearing on Thursday, February 24, 1977 at 10:00 a.m., 2:00 p.m. on Bill 2-3 "Educational Accountability Act of 1977 and Bill 2-19 "District of Columbia Cooperative Responsibility in Public Education Act of 1977."

I certainly hope that you or your designee will provide testimony on this important issue. If you have any question or need additional copies of either of the legislative proposals, please call Ms. Patricia Miner, Staff Director of the Committee, on 724-8014.

Sincerely,

Julius W. Hobson
Chairman
Committee on Education,Recreation & Youth Affairs

cc: Councilmember William Spaulding
Council Chairman Pro Tem Willie Hardy

Council of the District of Columbia

Notice of Public Hearing

City Hall, 14th and E Streets, N.W. Fifth Floor 638-2223 or Government Code 137-3806

PUBLIC HEARING ON BILL 2-3, "EDUCATIONAL ACCOUNTABILITY ACT OF 1977", AND BILL 2-19,"COOPERATIVE RESPONSIBILITY IN PUBLIC EDUCATION ACT OF 1977"

Thursday, February 24, 1977
10:00 a.m., 2:00 p.m.and 7:30 p.m.
Council Chamber, Room 500, City Hall

Councilman Julius W. Hobson, Chairman of the Committee on Education, Recreation, and Youth Affairs announces a public hearing on Bill 2-3, "Educational Accountability Act of 1977", and Bill 2-19,"Cooperative Responsibility in Public Education Act of 1977".

Bill 2-3 calls for the Board of Education to design within six (6) months and immediately implement an educational accountability plan for the D.C. Public Schools. The bill requires the Board of Education to establish specific goals and objectives for the school system, assess students' needs, establish minimum promotion and graduation standards, develop plans for corrective action, and report annually to the public on an individual school basis and on systemwide progress.

Bill 2-19 requires the Board of Education and the Superintendent of Schools to develop and implement educational goals and objectives, survey each school's student achievement, develop programs for meeting schools' needs, and annually report results to the Council and the Mayor. The bill further calls for compliance during the 1978-1979 school year with the first report due by August 1979.

Copies of both pieces of legislation are available by calling the Legislative Services Office of the City Council at 724-8050.

Council procedures allow citizens to comment both orally and in writing before the Committee on Education,Recreation, and Youth Affairs. Citizens wishing to comment in writing are invited to address their comments to Mr. Robert Williams, Secretary to the Council, Room 507, City Hall, 14th and E Streets, N.W., Washington, D.C. 20004. The official hearing record will close on March 7, 1977.

Citizens wishing to give oral testimony (limited to 5 minutes) may do so by registering with Mrs. Lorraine McCottry at 724-8072 by the close of business on Tuesday, February 22, 1977.

J-3172-75

COUNCIL OF THE DISTRICT OF COLUMBIA

WASHINGTON, D. C. 20004

PUBLIC HEARING ON BILL 2-3 "EDUCATIONAL ACCOUNTABILITY ACT OF 1977" AND BILL 2-19 "COOPERATIVE RESPONSIBILITY IN PUBLIC EDUCATION ACT OF 1977"

Committee on Education.Recreation & Youth Affairs
Julius W. Hobson, Chairman

Council Chambers
2:00 P.M.
Thursday, February 24, 1977

WITNESS LIST

1.	Mr. John E. Jacob	Washington Urban League
2.	Ms. Harriet Hubbard	D.C. Federation of Citizen Associations
3.	Mr. Edward L. Hancock	Area 4A Council PTA
4.	Ms. Angie Corley	McKinley High School
5.	Ms. Marion Jackson	Randall Highland
6.	Mr. Sam Jordon	D.C. National Educational Association
7.	Ms. Ann Coluzzi	D.C. National Education Association
8.	Mr. Bernard McKenna	D.C. National Education Association
9.	Ms. Ellen Datcher	D.C. National Education Association
10.	Mr. Bert Hall	Far Northeast and Southeast Council
11.	Dr. Clarence Wade	Citizen
12.	Mr. George A. Boyd	ANC Commissioner 5B

Councilmember William Spaulding, Councilwoman Willie Hardy
Members, Education, Recreation & Youth Affairs Committee
Julius W. Hobson, Chairman

February 28, 1977

ERYA Committee Meeting

There will be no meeting of the Committee on Education. Recreation and Youth Affairs tomorrow. The next regular meeting will be held on March 15, 1976.

cc: Councilmembers

Councilmember William Spaulding, Councilwoman Willie Hardy
Members, Education, Recreation & Youth Affairs Committee
Julius W. Hobson, Chairman

February 28, 1977

ERYA Committee Meeting

There will be no meeting of the Committee on Education. Recreation and Youth Affairs tomorrow. The next regular meeting will be held on March 15, 1976.

cc: Councilmembers

Council of the District of Columbia

Members

Julius Hobson

Ex-officio

Staff Committee Meeting

There will be no meeting of the Committee on Education, Recreation, and Youth Affairs tomorrow. The next regular meeting will be held on March 15, 1976

cc Committee members

PUBLIC HEARING ON BILL 2-3 "EDUCATIONAL ACCOUNTABILITY ACT OF 1977" AND BILL 2-19 "COOPERATIVE RESPONSIBILITY IN PUBLIC EDUCATION ACT OF 1977"

Committee on Education, Recreation & Youth Affairs
Julius W. Hobson, Chairman

Council Chambers
7:30 P.M.
Thursday, February 24, 1977

1.	Mr. Bert Hall	Far Northeast and Southeast Council
2.	Dr. Clarence Wade	Citizen
3.	Mr. George A. Boyd	ANC Commissioner 5B
4.	Ms. Angie Corley	McKinley High School
5.	Ms. Marion Jackson	Randall Highland
6.	Rev. Andrew Fowler	Minister
7.	Judge Harry T. Alexander	Citizen

Summary

Cooperative Responsibility in Public Education Act of 1977 (Bill 2-19)

- The Board of Education and the Superintendent shall develop and implement educational goals and objectives in such subject areas as reading, writing and mathematics.

- The instructional plan developed to meet those stated educational goals and objectives shall include, where possible, measurable objectives to assist in measuring progress toward achieving those goals.

- Each school shall survey and evaluate student achievement in reading language, mathematics and other areas in order to assess and identify possible deficiencies.

- On the basis of the above survey the public school shall focus on identified needs, interests and abilities which will enable students to function in the world community and develop educational programs based on these needs.

- The Board of Education shall submit by August 15, 1979 an annual report to the public indicating the D.C. School System's effectiveness in achieving stated goals and objectives as well as recommendations for school improvements during the ensuing year.

Ed. Art.

The Washington Post

AN INDEPENDENT NEWSPAPER

Supersuperintendents

ONE OF THE SWELL sounding, but misguided, legislative efforts under way in the city council is a move to require the elected school board to be "accountable" to the council for education goals and policies. The seemingly constructive idea here is to give the city council a role in determining what the schools are or are not accomplishing. But interjecting council members as educational overseers is contrary to the spirit of the city charter.

Moreover, it [illegible] the management. Two or three [illegible] could have been tempted to embrace a bill [illegible] more supervision of school system doings. After all, the constant wars over who was "in charge" of the schools—the board or the superintendents—made any offer of leadership seem attractive. But now, Washington's public school system appears to be getting its act together under a low-profile, high-output school board and a top-flight administrator-superintendent who already has taken impressive steps to tighten up and improve the entire educational system.

Indeed, Superintendent Vincent E. Reed and the school board have been working hand in hand [illegible] curriculum development programs, proposals to [illegible] grade graduation requirements and better test[illegible] procedures. In fact, school board member Mio[illegible] Shumate Woodson points out that the bulk of the [illegible] in one of the council bills is lifted almost [illegible] verbatim from Mr. Reed's annual report for 1970.

It's little wonder, therefore, that the school [illegible] did not attend the council hearing on the "accountability" bills last month, but instead sent a polite letter to Julius W. Hobson Sr., head of the council's committee on education, recreation and youth affairs, recognizing the council's concern. Board President Thurman E. Evans also noted in the letter that the board and the superintendent will establish special briefing sessions on a regular basis for members of the city council and their key staff aides.

Concerned citizen's groups, including the D.C. Citizens for Better Public Education and the Washington Urban League, agree with the school board's decision that it is responsible for setting educational policies and goals. We agree. The council bills should be scrapped.

March 5, 1975

Mr. Roscoe Evans
Secretary
Northumberland Hunting Club
1300 Somerset Place, N.W.
Washington, D.C. 20011

Dear Mr. Evans:

Thank you for your telephone call concerning the gun control legislation now pending before the City Council.

When the bill comes before the Council's Legislative Session for a vote, I will keep your views in mind.

Sincerely,

Julius W. Hobson
Councilmember-at-large

Please call 2/19/75
Roscoe Evans
1300 Somerset Pl.
N.W.
D.C. 20011
Secretary
Northumberland
Hunting Club
against

March 5, 1975

Mr. G. A. Esworthy
4114 Davis Place, N.W. #1
Washington, D.C. 20007

Dear Mr. Esworthy:

Thank you for your letter concerning the gun control legislation now pending before the City Council.

When the bill comes before the Council's Legislative Session for a vote, I will keep your views in mind.

Sincerely,

Julius W. Hobson
Councilmember-at-Large

March 5, 1975

Mr. G. A. Esworthy
4114 Davis Place, N.W. #1
Washington, D.C. 20007

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Sincerely,

Julius W. Hobson
Councilmember-at-Large

March 5, 1975

Mr. G. A. Esworthy
4114 Davis Place, N.W. #1
Washington, D.C. 20007

Dear Mr. Esworthy:

Thank you for your letter concerning the gun control legislation now pending before the City Council.

When the bill comes before the Council's Legislative Session for a vote, I will keep your views in mind.

Sincerely,

Julius W. Hobson
Councilmember-at-Large

FEB. 14, 1975

SIR:

I AM STRONGLY OPPOSED TO COUNCILMAN WILSON'S PROPOSED HANDGUN AND SHOTGUN CONFISCATION REGULATIONS. I AM DEEPLY CONCERNED ABOUT THE IMPROPER USE OF FIREARMS AND I AM WHOLE-HEARTEDLY IN FAVOR OF HARSH, MANDATORY MINIMUM SENTENCES FOR ANYONE CONVICTED OF A CRIME INVOLVING FIREARMS OF ANY TYPE.

SINCERELY,

H. A. Elmore

G.A. ESWORTHY
4114 DAVIS PL. NW #1
WASHINGTON, DC 20007

THE HONORABLE JULIUS W. HOBSON
MEMBER, D.C. CITY COUNCIL
14TH & E STREETS NW
WASHINGTON, DC 20004